

# **Class A.**

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## **CORRESPONDENCE**

WITH THE

## **BRITISH COMMISSIONERS,**

AT

SIERRA LEONE, THE HAVANNAH,  
RIO DE JANEIRO, AND SURINAM,

RELATING TO

## ***THE SLAVE TRADE.***

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1825---1826.

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*Presented to both Houses of Parliament, by Command of His Majesty,*  
1826.

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Class A

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# Class A.

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## CORRESPONDENCE

WITH THE

## BRITISH COMMISSIONERS.

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### SIERRA LEONE. (*General.*)

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No. 1.

*D. M. Hamilton, Esq. to Mr. Secretary Canning.—(Received April 16.)*

(Extract.)

*Freetown, Sierra Leone, January 27, 1825.*

IN my Despatch to you of the 15th instant, I communicated to you the melancholy event of the death of my Colleague, Mr. Gregory, His Majesty's Commissary Judge;—I also therein informed you that I had assumed the office of Commissary Judge, *ad interim*; but that I had not yet appointed a Commissioner of Arbitration, in consequence of the adverse claims made by three of the Colonial Officers for that office.

I have now the honour to inform you, that I have admitted the claim of Mr. Reffell the Colonial Secretary, who, on the 25th instant took the oaths required by the respective Treaties, and immediately afterwards entered on the duties of the situation of Commissioner of Arbitration.

(Signed) D. M. HAMILTON.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

B



## No. 2.

*D. M. Hamilton, Esq. to Mr. Secretary Canning.*—(Received June 14.)

SIR,

*Sierra Leone, March 14, 1825.*

I HAVE the honour to enclose herewith Abstracts of the Proceedings of the past Year, under the Mixed Commissions established in this Colony.

The number of Cases adjudicated under the British and *Spanish* Commission in the year 1824, was ONE; which was deemed to be a Case for condemnation. The number of slaves emancipated was 117.

The number of Cases adjudicated under the British and *Portuguese* Commission in the same Year, was 5, which were also deemed to be Cases for condemnation; and the number of slaves emancipated was 1128.

There was no Case under the British and *Netherlands* Commission adjudicated in the past Year.

I beg leave to enclose for your information, a general List of Cases adjudicated under the Mixed Commissions to this date. You will perceive, Sir, that the number of Cases adjudged during the past Year is 6; the number of slaves emancipated 1245; that the total number of Cases adjudicated since the establishment of the Mixed Commissions is 52; and that the total number of slaves emancipated up to the 1st of January last is 5160.

I have the honour, &c.

(Signed) D. M. HAMILTON.

*The Right Hon. George Canning,*  
&c. &c. &c.

*First Enclosure in No. 2.*

*Abstract of Proceedings under the British and Spanish Mixed Commission at Sierra Leone, from the 1st of January 1824, to the 1st of January 1825.*

(No. 1.)—THE Schooner "*Fabiana*," under Spanish Colours, Manoel de Maria, Master, was brought to Sierra Leone on the 16th of October, with 117 slaves on board; was captured by His Majesty's Ship *Owen Glendower*, Sir Robert Mends, on the 14th of September 1823, being in Latitude about 4° 28' North, and Longitude 7° 21' East. The slaves brought in this Vessel were delivered up to the Capturing Boats by a native Chief of the River Bonny, as having been landed from her six days previous to her capture. The informality of the evidence in this Case, induced the Commissioners to decline proceeding with it until the arrival of the Captor, but the Case having been referred back to the Commissioners by His Majesty's Government, they passed a Sentence of condemnation against the "*Fabiana*," on the 11th of October, 1824, declaring that no slaves were on board at the time of capture.

The "*Concheta*" was captured by Sir Robert Mends, commanding His Majesty's Ship *Owen Glendower*, on the 16th June 1823, in Old Calabar River. On the 9th of December she arrived at Sierra Leone, without any slaves on board; the necessity of landing the slaves at Cape Coast, was urged on the part of the Captor, as a reason for their not accompanying the vessel; they were stated to have been captured in one of the Creeks of Old Calabar River, in 4° 31' North Latitude, and 8° 38' East Longitude. A number of slaves were sent on board after her capture by the Chief of the before-mentioned River, as forming a part of the cargo of the "*Concheta*." The Commissioners were of opinion that that clear and undeniable proof of her having been illegally engaged in the traffick in slaves, required by the Treaties, had not been furnished by the Captors; in consequence of which they ordered the Case to be postponed, until proper and sufficient evidence should be produced; but on the motion of the Proctor for the Captor, the "*Concheta*" was ordered to be sold, and the proceeds of the sale lodged in the Registry.

(Signed) D. M. HAMILTON.



## Second Enclosure in No. 2.

*Abstract of Proceedings under the British and Portuguese Mixed Commission at Sierra Leone, from the 1st of January 1824 to the 1st of January 1825.*

THE Ship "*Minerva*," under Brazilian Colours, Manoel Joaquim de Almeida, Master, was captured by His Majesty's Ship Bann, Captain Courtenay, on the 30th of January 1824, off the River Lagos, in Latitude  $6^{\circ} 20'$  North, and Longitude  $3^{\circ} 46'$  East, and had no Slaves on board.

This Cause was withdrawn from the Mixed Commission Court, on the motion of the Proctor for the Captor.

(No. 1.)—The Brig "*Bom Caminho*," under Brazilian Colours, Joaquim Luiz d'Aranjo, Master, was captured on the 10th of March 1824, by His Majesty's Ship Bann, Captain Woolcombe, in Latitude  $1^{\circ} 42'$  North, Longitude  $3^{\circ} 23'$  East, with 334 Slaves on board, 7 of whom died on the passage to Sierra Leone. She was furnished with a Passport from the Provisional Government of Bahia, authorizing a Slave-trading voyage to Molembo. The Commissioners passed Sentence of condemnation against the "*Bom Caminho*," on the 15th of May, and decreed the emancipation of her slaves.

(No. 2.)—The Schooner-boat "*Maria Pequena*," under Portuguese Colours, Leonardo Guaresma, Master and Owner, was seized about four or five miles off Port Antonio, Princes Island, by His Majesty's Ship Victor, Captain Scott, on the 8th of May 1824, having on board 11 slaves, some ivory, bees-wax, and gum-copal. The "*Maria Pequena*" was left in charge of the Authorities at Princes Island, until the decision of the Mixed Commission Court at Sierra Leone should be known. The Brig Vencedor brought her slaves, and part of her cargo to Sierra Leone, which was condemned by order of the Commissioners, and the slaves emancipated on the 14th of July last.

(No. 3.)—The Brigantine "*Dianna*," Manoel dos Santos da Costa, Master, was captured, sailing under Brazilian Colours, by His Majesty's Ship Victor, Captain Woolcombe, on the 11th of August 1824, in  $2^{\circ} 15'$  North Latitude, and  $5^{\circ} 13'$  East Longitude, with 143 slaves on board, and arrived at Sierra Leone, on the 9th of October. The Commissioners pronounced a Sentence of condemnation against her, and ordered her slaves to be emancipated, on the 15th of November 1824.

(No. 4.)—The Brigantine "*Dos Amigos Brasileiros*," Antonio Alvarez da Silva, Master, sailed from Bahia on the 6th of March last, under the Brazilian Flag, fully equipped for a Slave-trading voyage, and arrived at Badagry, in Latitude about  $6^{\circ} 20'$  North, and Longitude  $4^{\circ} 20'$  East, and was captured on the 18th September 1824, with 260 slaves on board, by His Majesty's Ship Victor, Captain Woolcombe, near Princes Island, in Latitude  $1^{\circ} 40'$  North, and Longitude  $6^{\circ} 8'$  East. The Commissioners condemned the vessel, and decreed the emancipation of her slaves, on the 15th November 1824.

(No. 5.)—The Brig "*Avizo*," under the Brazilian Flag, Luis Pacheco da Silva, Master, arrived at Sierra Leone on the 8th of November 1824, with 431 slaves on board. She was seized by His Majesty's Ship Maidstone, Commodore Bullen, in Latitude  $1^{\circ} 33'$  North, and Longitude  $7^{\circ} 7'$  East, and had 465 slaves on board. The Commissioners passed a Sentence of condemnation upon her, and decreed the emancipation of her slaves, on the 19th of November 1824.

(Signed) D. M. HAMILTON.



A LIST OF CASES ADJUDGED IN THE COURTS OF MIXED COMMISSION AT SIERRA LEONE, BETWIXT 1st JANUARY 1824 and 1st JANUARY 1825.

Number of Cases adjudged between June 1819, and 1st January 1825.	Number of Vessels liberated between June 1819, and 1st January 1825.	Number of Cases adjudged between 1st January 1825,	NATIONS.	NAME of VESSELS.	CLASS.	CONDEMNED.	LIBERATED.	Number of Slaves Emancipated.
47	5	1	<i>Spanish.</i>	Fabiana	Schooner	Condemned	"	117
48		2	<i>Portuguese.</i>	Bom Caminho	Brig	Condemned	"	326
49		3		Maria Piquena	Schooner Boat	Condemned	"	11
50		4		Diana	Brigantine	Condemned	"	114
51		5		{ Dos Amigos } { Brazileiros }	Brigantine	Condemned	"	253
52		6		Aviso	Brig	Condemned	"	424
								1245
								Total Number of Slaves emancipated between June 1819 and January 1824 ..... 3915
								Total Number of Slaves emancipated between January 1st 1824 and 1st January 1825..... 1245
								Total Number of Slaves emancipated between June 1819 and 1st January 1825 ..... 5160



## No. 3.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, June 15, 1825.

I HEREWITH transmit to you, for your information, six copies of Papers, marked A and B, relative to the Slave Trade, which have been presented to both Houses of Parliament, by His Majesty's Command, in the course of the present Session.

I am, &amp;c.

(Signed)

GEORGE CANNING.

*His Majesty's Commissioners.*

## No. 4.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received June 24.)*

SIR,

Sierra Leone, April 10, 1825.

IN commencing the Report which we now have the honour to address to you, relative to the state of the Slave-trade, and other circumstances connected with this Coast, since the last statement of the Commissioners, we have to lament the death of Mr. Gregory, His Majesty's Commissary Judge, whose attention had been particularly directed to the acquirement of that information which we fear the opportunities we have enjoyed will not enable us to afford.

We regret to state, that from every information we have received, the Slave-trade of the Cape de Verde Islands has rather increased than diminished since the last Report of His Majesty's Commissioners. Indeed, we have good reason to believe, that the vigilance of the Supreme Government of those Islands is rendered nugatory, by the system pursued in carrying on this traffick, in small Schooners running from the Islands of "Brava" and "Fogo" to the Rivers "Cazamansa," "Cacheo," "Bissao," and "Grande," from whence the slaves are brought, and afterwards shipped in larger Vessels for the Brazils and other slave markets. The principal persons who continue to be engaged in this trade at the Cape de Verdes are, the noted *Brandao*, the former Owner of the "Conda de Villa Flor," and *Antoine Leger*, a Frenchman by birth, but naturalized as a Portuguese subject; the former employs several of the small Vessels in the carrying trade on his own account; is reported to have shipped off in the last year two full cargoes from the Island of "Brava," for Foreign sale, and at the date of the last accounts, which have reached this from St. Jago, was then there in a large Brig, well armed, waiting the result of his negotiations with the Slave Factories in the Rivers we have before alluded to. The latter, *Antoine Leger*, is solely employed in the traffick between the Islands and the Coast, in the prosecution of which he is stated to have lost two Vessels in the last twelve months, by their getting ashore on the Island of St. Jago, at which place both these men are frequently to be met with, and where their occupations are perfectly well known, and no doubt duly reported, with all other matters connected with the Cape de Verdes, by His Majesty's Consul at that Post. In justice, however, to the present Governor-General, who generally resides at Porto Praya, we deem it necessary to state, that his Excellency is spoken of as desirous of putting a stop to the Slave-trade within his Government, and also to be greatly interested in improving the condition of the Natives; the connivance, however, of most of the Authorities under him, and particularly the residents of the several Islands, and those in the Rivers "Cacheo" and "Bissao," has hitherto and will continue to prevent much good resulting from his Excellency's personal good feeling, that has led him to adopt, so far as his means would allow him, a system of government much superior to his predecessors, and which we are informed



is already visible in the improved appearance of the Capital, and state of the Police of St. Jago.

The principal Slave Factories in the Rivers we have before named, are, "Zingiehor," in the "*Cazamança*," the Governor of which is a Portuguese Negro, and most deeply engaged in the traffick; "St. Domingo," in the "*Cacheo*;" "Bissao Island," in the River of that name; and "Bellola," in the "*Rio Grande*." These marts, in addition to supplying the Cape de Verde Islands, by means of their small craft, furnish cargoes for larger Vessels, which go there direct for slaves. No authentick account of the number of Africans exported from these Rivers can be given: there is, however, every reason to believe that the traffick has not lately diminished in any of them. Among the larger class of Vessels which are known to have loaded slaves on this part of the Coast, in the last year, may be instanced a piratical Brigantine under Spanish Colours, pierced for eighteen guns, and manned with forty-six men of all Nations. This Vessel was reported to Commodore Bullen, who promptly sent His Majesty's Sloop "*Victor*" in search of her. Captain Woolcombe, of that ship, however, on his arrival found that she had sailed, and it was reported with a full cargo, from the "*Cazamança*," off the Bar of which River she anchored, and employed small craft in bringing the slaves on board her. The French Schooner "*Martiniquein*," of "*Guadaloupe*," commanded by Monsieur Marsin, also fitted to carry a cargo of slaves, in going into the "*Cazamança*" in October last, was run on the Bar by a French Pilot, of *Goree*, and the Vessel totally lost; part of the cargo being saved, was afterwards taken to that Island. The Captain of this Vessel died in the *Gambia*. The "*Esperanza*," a Portuguese Brig, in the beginning of last year, was also totally lost at the mouth of the same River, having mistaken its entrance for the "*Cacheo*." This Vessel had shortly before been rebuilt at Lisbon, and fitted out at an expence of (it is asserted) 14,000 dollars, for the Slave-trade between "*Cacheo*" and the "*Brazils*," in which traffick she had been successfully employed since the year 1817.

The Commerce of our Settlement, in the River *Gambia*, which from its establishment has been rapidly improving, sustained considerable injury in the last year by the large importations of American goods, which were brought by the French from the *Free Port* of *Goree*, and conveyed (without being liable to the duties paid by our Merchants for the merchandize they bring into the River) to the Factory at "*Albreda*;" in return for which the French exported hides and very large quantities of wax, gold, ivory, &c. The internal Slave-trade and consequent intercourse of the natives (by Creeks) between this River and those of "*Cazamança*," "*Cacheo*" and "*Bissao*" has also taken away large quantities of the Country produce formerly obtained by our Traders, but which is now carried to the Slave Factories in those Rivers; notwithstanding, however, these drawbacks upon our commerce, it is most gratifying to know, that owing to the perseverance of the Merchants, who have extended their trade higher up the River under the protection of the Government (who for that purpose have taken possession of an Island about 400 miles from St. Mary's, and which is garrisoned by a small military force) the exports in the past year are supposed to exceed in value 125,000*l.* to which may be added about 12,000*l.* sent home in gum, which is procured by a Company of British Merchants at St. Mary's, from the Moors at Portendick. The timber trade of this River is also likely to prove a commerce of considerable importance, several vessels having sailed in the last year with full cargoes.

We seldom receive information which can be depended on from the French Settlements of "*Senegal*" and "*Goree*;" the accounts which, however, have reached us, represent the concurrence of the Colonial Authorities there, to the Inhabitants procuring, as domestick slaves, any number of Africans they please, provided they are registered in the presence of the Mayor of "*Goree*" or "*Senegal*;" and further, that the Government have purchased considerable numbers, whom they have embodied as Soldiers to garrison their Forts in the



Senegal, in which River they employ two Steam Vessels, and on the banks of which they spare no expence in encouraging tropical agriculture; first by granting land to Settlers, and issuing rations and agricultural tools for twelve months, to as many *Domesticks* as they may employ, and secondly, in offering very large premiums to those who may raise given quantities of certain produce.

The Rio Nunez, which we shall next consider, runs through a valuable country, and approaches "Foola Jolla."—During the legitimate Slave-trade, this was the great outlet of Foulah commerce through "Labi," the Northern Capital of that Kingdom, and if now well supplied with merchandize would, we understand, take away the whole produce trade of "Bissao;" it furnishes rice, gold, wax, hides, and ivory. Some of the Merchants of this Colony, and the Isles de Loss, have factories on its banks, and there are also a number of resident Traders. It is always difficult to ascertain the amount of produce exported from the Rivers upon this Coast, out of British jurisdiction; but from the best information, we have reason to believe that 30,000 hides, 100 tons of rice, 20 tons of bees wax, 10 tons of ivory, and at least 3,000*l.* worth of gold, have been procured in the Rio Nunez in the last twelve months, besides cattle, which may be purchased to any extent, and of which a considerable number have been exported in the last year to the West Indies.

A Slave-vessel entered this river last November, the residents however refused to load her, and she was eventually supplied by a Portuguese from "Bissao." This is the only instance we have heard of a cargo of slaves being taken from this River since the last Report of the Commissioners; there is, however, as we are informed, a considerable traffick by the creeks from thence to "Bissao," slaves being marched over land from the Rio Pongas for that purpose.

Since the capture of the *Rosalia* by Captain, then Lieutenant, Hagan, in 1822, very few vessels that we are aware of had entered the "Rio Pongas" for slaves, until within the last six months, when the traffick appears to have partially revived. In the early part of September we had information of two vessels being there engaged in the illicit trade, one under French, the other Spanish Colours, and in the beginning of this year two others were known to have entered that River, and delivered merchandize for slaves; of these, one (a Brig) has sailed, as we are informed, with a full cargo, the other (a Schooner) is still there, most of the crew having died. Previous to the arrival of these Vessels the Residents of that River, most of whom are mulattoes, and possessed of a great number of domestick slaves, had been turning their attention to agriculture, and in furtherance of it, procured some thousands of coffee plants from this Colony. Since the last Report of the Commissioners, a gentleman residing here has himself forwarded 10,000 and from a letter found on board the Spanish Schooner "*Española*," lately condemned by the British and Spanish Mixed Commission, we find that two of the most opulent white Traders in that River, were employing themselves in legitimate trade and agriculture, and from other sources we have reason to believe such is the case. A civil war, which is however still carrying on, has tended much to disturb the innocent commerce of the "Rio Pongas," and we fear is not likely to be amicably settled at present, the parties being very much exasperated against each other. Ormond, a Native Trader, assisted by the "Foulahs," is opposed to Lawrence Tom Curtis (who murdered the boat's crew of His Majesty's gun-brig *Thistle*), and some Native Chiefs. The Foulah in command has orders (as he says) from his Chief to get the heads of Lawrence Curtis, and Yenge Coney, the Chief Native: this man has also told to respectable persons of this Colony, that he is authorized and anxious to give us the possession of the River, which, the Americans settled there are very desirous to obtain, in order to form an establishment under the protection of their nation. The value of the trade to them is most important, and the intercourse constant and regular with the United States. This Nation has increased its commerce with the Rio Pongas in the last year two-fold.



With respect to this Colony, it is most gratifying to us to be enabled to state, that its export trade has increased since the last Report of the Commissioners beyond any former period; the quantity of timber exported from October last to the date of this Report, is not less than 14,000 loads, with 22 vessels still lying here to obtain cargoes, during the present shipping season; (the end of May) while the exports for the following periods are as follows: from October 1821, to May 1822, *one thousand* load; from October 1822, to May 1823, *seventeen hundred* load; from October 1823, to May 1824, *eleven thousand* load. Great confidence has been given to the persons engaged in this trade, by the Colonial Government having obtained the cession and sovereignty of the Islands in this River, and also the northern bank of the same, a measure which was alluded to in the last Report of the Commissioners as extremely desirable to be accomplished. These Merchants have thus become tenants of their own Government, instead of living as heretofore at the mercy of the petty Chiefs, who were their former landlords. They are already extending their trade and erecting more substantial buildings on the faith of the protection which has thus been afforded to them. The value shipped in gold, brought from the interior during the same period, has been greater than all the preceding years together; no accurate account however of the shipment of this article can be obtained, as it is not entered at the Custom-house; we, however, know one Merchant who alone has sent home upwards of 5,500*l.* worth.

The agriculture of the Colony has also greatly increased, and in some respects improved; and it is now gratifying to know that the produce grown in the Peninsula is fully sufficient to feed its population, instead of, as formerly, having recourse to the neighbouring Natives for the necessary supplies to support the liberated Africans and lower classes of the community; this abundance was found of the greatest consequence in the last year, when, from the unsettled state of the Sherbro (which we shall more particularly speak of hereafter) and the Mandingo Country, very little rice, compared with former periods, was brought into the Colony, which, with the quantities required for the Gold Coast during the Ashantee War, caused that article to rise to £17 per ton, a price far above the means of most of the labouring classes to purchase. The differences in the Mandingo Country between the Chief and his Headmen, still partially exist; but we may expect that as it is the intention of some of the powerful Nations of the interior to interfere in order to bring about a reconciliation, that a good understanding will shortly be established, particularly now that "Almany Abdool Kaddrier," the Chief of Foola Jolla, has put down the usurper Bocarry, who had kept up a civil war in that Country for a considerable time back. This Chief is known to be very anxious to reconcile the affairs of the Mandingo Country, and will, no doubt, so soon as he is a little at leisure, carry his intentions into effect; he has certainly the power, and we are credibly assured, is determined to exercise it, if necessary, to attain the object.

The Slave-trade on the Coast between this Colony and the Gallinas has increased of late beyond any former years since the existence of the Slave Treaties, and is almost entirely carried on under French and Spanish Colours; the former however continues to be the most general, and is often used as a mask by the illicit Traders to cover property of other Nations, which is the more to be lamented as rendering the Vessels at free liberty to carry on their abominable traffick without any interruption from our Cruisers. The necessity for obtaining slaves to meet this increased demand has, we are assured, been the cause of the destructive War which has raged in the Sherbro for the last *eighteen months* between the "Cussoos," a powerful Nation, living in the interior, on a line running parallel with the Coast extending from the Gallinas to the back of this Peninsula, and the Fi people and Sherbro Bulloms, who live near the water-side (and are completely under the influence of the Slave-trading Chiefs and Factors settled in the neighbourhood of the Gallinas and Cape Mount;) the origin being traced to the nefarious manner



in which this traffick is carried on, and which at last induced the Cussoos to commence hostilities in retaliation for the injuries and insults they had for a long time been subjected to by the proceedings of those people, who, in numerous instances, had seized and put on board Slave-vessels, not only the slaves and other property brought to the Coast by the *free* people of the Cussoo Nation, for the purpose of barter, without making them any recompense, but in many instances their persons, whom they sold into slavery.

The Cussoos having some time since revenged themselves upon their aggressors in the neighbourhood of the Gallinas, have been coming up the Coast towards this Peninsula, near to which by the last accounts they were encamped, having carried fire, rapine, and murder throughout the different villages they passed,—most of the women and children of which, together with the prisoners they take, being immediately sold to the Slave Factors who are at hand to receive them. We have within the last few days heard that there is a probability of an amicable arrangement being entered into with these people, and the Chiefs of the Sherbro Bulloms, into whose Towns the war has extended; these men were not generally implicated in the treachery which has called forth the signal vengeance of the injured, but on the contrary, many of them were engaged in an innocent commerce with this Colony, which the war has now, however, completely destroyed. This trade, which was formerly most valuable and advantageous both to the Natives and also to the Colonial Traders, consisted in rice, dye-woods, ivory, country cloths, mats, palm oil, kolas, &c., for which was exchanged British manufactures. The Americans also carried on a legitimate trade with the Sherbro, which, however, no longer exists.

The nearest mart for the criminal traffick, is the Shebar, a distance of about eighty miles from this Colony, and where there have been seldom less than three or four French Vessels at a time in the last year illicitly trading. His Majesty's ship "Driver," in April last, sent her boats into that River, when there were two Vessels under the White Flag prepared to receive their cargoes, which circumstance was reported to the French Commodore, then off the Gallinas, where he had taken about the same time three Vessels engaged in the trade, two French and one under Spanish Colours. In September, a French Brig was seen in the same River by a respectable person of this Colony, preparing to take on board 400 Slaves. This vessel was said to have been sent from Martinique to the Coast by one Captain Gicquell, who is reported to have made 11 successful voyages in this traffick, (this man, as appears by one of the letters found on board the cutter "Deux Sœurs," is himself at present upon the Coast). Again, in December, we had advices of a Spanish Schooner, a Portuguese Brig, and a French Sloop being there, (the latter, the "Deux Sœurs," has since been seized within the limits of this Government); also, since that period, several other Vessels under the French Flag, as appears by some letters that were found on board the "Deux Sœurs," and are in the Registry of the Court of Vice Admiralty of this Colony, translations of which we beg leave herewith to transmit, as throwing considerable light on the manner in which the Laws of France are violated. From these documents it appears that not only French, but Dutch property employed in the Slave-trade is covered by the White Flag, and that notwithstanding the undeniable proofs of such Vessels being embarked in the Slave-traffick, yet, they are allowed to remain unmolested, and the Violaters of the Laws of France left to carry on the prohibited traffick with impunity. We would not remark on the conduct of the French Commodore and his Officers, who, in other instances, have enforced the Instructions of their Government against the Vessels and Crews found engaged in the illicit trade, but it does really seem to us that there has been a great want of zeal evinced in their proceedings with regard to these Vessels.

The Crew of the "Deux Sœurs," the Vessel in which these letters were found, shortly after leaving Shebar, were overpowered by the slaves, who killed eight of their number, leaving only three persons to navigate the vessel,



and that under a promise they should land them on some part of the Coast near to the Plantain Islands: these three men made the "Isles de Loss," where the Vessel was seized and sent here for adjudication in the Vice-Admiralty Court, which condemned her and the slaves as forfeited to the Crown.

The catastrophe on board may be attributed to several of the slaves who had been employed as labourers and boatmen in this Colony, and who understood the English language: these men were aware of the consequences of being taken from the Coast, which no doubt induced them to have recourse to force, to effect their liberation. This is not the only case where free men, well acquainted with this Colony, have been shipped off lately, either being taken as prisoners of war in the Sherbro, or kidnapped by the Slave Factors to make up a cargo. A man similarly circumstanced was among the slaves captured in the Spanish Schooner "Española" before mentioned, who had hired himself as a canoe-puller in this Colony to a Foulahman, who, under some trifling pretext, when he had him in his power, disposed of him to a Slave Factor near the Gallinas. This aggressor, should he again visit the Colony, will no doubt be brought to account by the Colonial Government, who have been made acquainted with the circumstance.

The American Settlement of Mesurado, we are most happy to state, is recovering from the misfortunes which attended its formation, and bids fair to realize the expectations of its founders. The United States Schooner, "Porpoise," Captain Skinner, visited it in August last, when a more organized form of Government was established under that Officer's inspection, who then left in charge of the Settlement Mr. Ashman, the Agent appointed in America, and who was a passenger in the "Porpoise" from the Cape de Verde Islands, which he had visited a short time before for the recovery of his health. From this gentleman's zeal and abilities the best results were expected, and from all accounts which have since reached us, are likely to be fully realized. In one of his letters to a gentleman here, published in the Gazette of this Settlement, it appears that on the 28th of September two large Schooners, one French "L'Achille," Du Tertre, Master, from Nantes; the other Spanish, the "Biscayenne," Andreas du Mina, Master, from the Havannah, went on shore at Mesurado, and were totally lost, the crews being saved. Both these vessels were fitted for the Slave-trade.

A later communication, dated January, from the same gentleman, reports that three Vessels for slaves, presumptively Americans, were then on the Coast, one of them at the Sherbro, and the remaining two at the Gallinas and Cape Mount, one of these, a Baltimore built Schooner, called the "General Winder," Hill, Master, last from St. Thomas, carries ten guns and a numerous crew;—Hill and most of his crew being Americans. These three Vessels, it is known, have their outward bound cargoes on shore. The Ports of Cape Mount and the Gallinas have never been, within the last twelve months, without Vessels at anchor for slaves, the number shipped from thence since the last Report of the Commissioners must, therefore, be very considerable, notwithstanding which, however, very few captures on this part of the Coast have been made. This may very reasonably be attributed to the greater number of the Vessels being under French Colours, and to our Cruisers not being authorized to detain Spanish or Portuguese Vessels unless the slaves are, or have been on board them. The practice now universally adopted is never to embark the slaves until the Vessels are quite ready for sea; the shipment only occupies a very short time, and is generally done towards night, under cover of which they may very easily escape, even if a Cruiser should be in the neighbourhood, as the superior class of Vessels that are employed by the Spanish Slave-dealers are so well calculated for sailing, that very few of the Men-of-War have much chance of overtaking them at sea. The "Swinger" in going from this in November last, fell in with four French Slave-vessels off the Gallinas, three of which were boarded; and also found at the anchorage two Spanish Schooners waiting for their cargoes, which were stated to be then nearly collected.



His Most Christian Majesty's Gun-brig "Bressane," however left this on the 11th of December to join the French Vessels "L'Hebé" and "Dragon" at Cape Mount; and it is reported here that they have since made several captures in that neighbourhood.

The Slave-trade has certainly increased, from all accounts, in the Bights of "Benin" and "Biafra," and in the large Rivers which empty themselves into the sea in those latitudes, and may, perhaps, be attributed in some degree to the great increase of Slave-vessels within the last twelve months, which have sailed from the Brazils for Cargoes, thirteen of which were stated to have left "Bahia" about the same time for "Badagry," four of which, viz. the "Dianna," "Two Brazilian Friends," "Avizo," and "Bella Eliza," were captured by the Squadron, and sent here in the course of two months at the end of the last year, having on board near 1200 human beings: the others no doubt carried off their victims. The Prize Master of the "Two Brazilian Friends" also on his passage here, when distant about 250 miles to the southward of Cape Formosa, fell in with two large Schooners under Spanish Colours, crowded with slaves. In this year the "Bom Fim" having on board 149 slaves, under Brazilian Colours, has also been brought in for adjudication. The Ports generally frequented being "Badagry," "Lagos," "Popo," and "Whydah," in the Bight of Benin; and the Rivers we more particularly allude to, the "Bonny" and "Calabar," in the Bight of Biafra, which, in addition to being frequented by the Slavers from the Brazils, are infested with Vessels under the French and Spanish Flags, which are generally well armed, and particularly the latter, which may be considered to be fitted out as Privateers rather than Merchantmen, and make a practice of plundering such small Vessels of less power than themselves as unfortunately come across them. Among this class was the "El Romano," commanded by Jozé del Catarro, which was armed with 16 eighteen-pounders, and manned with 20 Officers, and 120 men, and was fitted out by a Company of Merchants in the Havanna for this Coast. We beg leave herewith to transmit an Account of the Proceedings of this Vessel, extracted from the Gazette of this Settlement.

The "Swinger" since last leaving this we also learn, boarded two Spanish Brigs in the latitude of these Rivers, mounting 16 guns each, one of them manned with 86, the other 68 men, and more recently on the 9th of February, fell in with four Vessels off Lagos towards night, which induced her Commander, Lieutenant Clerkson, to anchor, when he was actually fired into by a large Spanish Brig, the "Elaerto" of the Havanna, Antonio Echasamia, Master, mounting 16 guns, and manned with 86 men well armed with cutlasses, &c., and furnished with every accommodation for a cargo of slaves which were then collecting at a Port in the neighbourhood. The "Victor" also running into "Anna Bona" on her late cruise, disturbed three Spanish Schooners, well equipped, who all escaped by superior sailing.

His Majesty's ship "Maidstone," in a cruise in the Bights of "Benin" and "Biafra," between the 17th of June and 15th of July, boarded 17 Slave-vessels, 10 of them under French Colours, 7 of which were at anchor in the River Bonny at one time (the 16th of June) and intended to take off 3000 human beings, and on the 10th of September, His Majesty's Ship "Bann," then in that latitude, was informed of 4 Brigs and 4 Brigantines, under French Colours, being also in that River for slaves. The atrocity with which the traffick in this River and the Old Calabar is carried on, has, we understand, been made the subject of an official notification to the Lords Commissioners of the Admiralty by Commodore Bullen.

We have not heard so much of the infamous carrying trade between "Princes," and the large Rivers in the neighbourhood, as formerly; this we fear arises from our intercourse with that Island not being so frequent of late, rather than from any decrease of the traffick. A most distressing and inhuman instance is however known to us—the "Victor," when a few leagues from that Island on a late cruise, fell in with the Schooner Boat "Maria Piquena" of 5 tons burthen, having on board 17 slaves, being the remainder



of 23 originally taken on board in the River Gaboon: the space allowed for the slaves was only 18 inches between the water casks and the deck; the wretched survivors were taken out of this miserable craft for a passage to this Colony, where they were emancipated by the British and Portuguese Commission, the Boat having been previously delivered by the Captor with a statement of the case to the Governor of the Island, whose daughter nominally owned the vessel, which however it is said really belonged to His Excellency.

We beg leave most respectfully, Sir, to close this Report, by drawing your attention to the zeal and exertions of the highly respected and gallant Commodore, and the other Officers of His Majesty's Squadron upon this Station, during the past year, and to state, that we have before us documents to prove that 65 Slave vessels were visited by them since the month of May last, a number which, when considered with reference to the employment of the Naval Force upon the Gold Coast during the late Ashantee War, and the Slave-vessels, of which we have no account, furnishes strong reasons for supposing that the illicit traffick has increased rather than otherwise since the last Report of His Majesty's Commissioners.

We have the honour to be, &c.

(Signed)

D. M. HAMILTON.

*The Right Hon. George Canning,*  
&c. &c. &c.

J. REFFELL.

*First Enclosure in No. 4.*

*Translation of a Letter found among the Papers of the French Slave Cutter "Les Deux Sœurs," "Henri Mornet," Master, addressed to the Gentlemen interested in the Affairs of the "Galathée," deposited in the Registry of the Court of Vice Admiralty, in this Colony.*

Shebar, January 2d, 1825.

GENTLEMEN INTERESTED IN THE AFFAIRS OF THE SCHOONER "GALATHEE,"

AFTER a passage of fifty days, continually baffled by calms and contrary winds, I stopped at the River Shebar, notwithstanding there were four vessels in the River, to obtain information of what business was doing on the Coast of Africa. Having seen Mr. Gicquel, who had examined the Coast and found every where a number of Vessels more than sufficient to cause great competition in the trade, I remained two days bargaining with the King for my cargo: during this time the Schooner was outside the Bar. Prior to my leaving the Vessel, I had given to Mr. Reliquet, Mate (second) of the vessel the Dutch Papers, and the others, with an order, that if he perceived any Vessels, to get underweigh immediately, and not allow himself to be boarded by any Vessels but such as he might not be able to avoid, that is to say, such as might sail better than the Schooner: and that, if it was a French Vessel, which he would easily know, he should hoist his Dutch Flag, and if it was an Englishman, to hoist his French Flag, and show our Papers of that Nation. On the 12th of December, at noon, I quitted the Schooner; between four and five in the morning, the man De Bassoir perceived a Schooner very near us, immediately the Mate got under weigh, and had the advantage in sailing with this Vessel, at day-light the Vessel hoisted the White Flag—the Mate did the same; this Schooner continued her course; at eleven o'clock, not seeing any more of her, the Mate thought fit to come back to the anchorage, it was calm, according to his report; and having a man on the look-out, at four o'clock in the afternoon, he tells me, he saw no Vessel; at five, the same Schooner (of the morning), was so near our Vessel that he tells me it was impossible to get under weigh; seeing that this Schooner was lowering her boat, and thinking that it was a French Vessel-of-War, this unfortunate man being out of his mind, notwithstanding that the Lieutenant and the Master put the Dutch Papers in a sack with the Dutch Flag, he threw my Papers into the sea, on seeing the boat of this Vessel, which had only three men in it—this, to my misfortune, is the first example of the kind, and committed too by an old man: he kept the false French Papers, and it unluckily this had been a Vessel-of-War, he and the crew would have found themselves in a very awkward situation.—I did not hear of this misfortune until my boat came to fetch me, being on my way from the interior, and it was only from the crew I learnt it; the Vessel remained outside the River, every day exposed without Papers; I adopted the measure of bringing the Schooner into the River by Mr. Henry the 18th of December; she was in the Roads of Shebar.

I went up the River to fetch boats to discharge the cargo. I was there till the 22d, when in coming down, I learnt that a French Corvette was outside the Bar, and had sent her boats to board the Vessels; that the Schooner not having hoisted any Flag, the boats came on board and asked to what Nation the Schooner belonged; the Officer received for answer that she was Dutch, but that



he Captain had carried the Papers with him into the interior. The Officer wished to get the Schooner under weigh, but as he did not know the Bar he could not, he only said that he should go and give notice to the Commandant of the Brig, who would, without doubt, send in and fetch the Schooner; upon this information, and arriving at eight o'clock in the evening, I determined upon landing the cargo during the night, which having finished early in the morning, I dismantled the Schooner, and at high water put her on a bank, a few moments afterwards the boats were in the roadstead, seeing the Vessel on the sand, and crew on shore, the Officers took no notice of her, and on the morning of the next day, he set off to return aboard the Brig. As soon as the Brig left I got the Schooner afloat, and she had not received any damage.—I lost a great many things in landing the cargo at night, but, however, hope to accomplish the object that we agreed upon at the time of my departure from St. Thomas's. Rely upon my zeal for every exertion for the success of the affair; but I have at least three months to look forward to before my return, so that must not vex you: there have been a great number of Vessels taken on the Coast of Africa, in the North as well as the South. There are nine French Vessels of War to the Northward and Southward, and as many English, however, they do not interfere with the Dutch Flag, if there is nothing suspicious aboard, but all French Vessels are taken.

Deign to believe me, Gentlemen, very sincerely, your devoted Servant for the success of the affair:

(Signed) LOMBARD.

*Second Enclosure in No. 4.*

*Translation of another Letter found among the Papers of the Slave Cutter "Les Deux Sœurs," addressed to Ferdinand Savre and Co., Merchants, Nantes, deposited in the Registry of the Court of Vice Admiralty in this Colony.*

GENTLEMEN,

Shebar River, January 2d, 1825.

M. BRAY DE LAVALETTE, my Captain, having been absent some days on business of the Vessel, has induced me to take advantage of the opportunity of the Sloop, the "*Sans Souce*," to inform you of the situation of the Schooner "*La Rose*." I do not give you any intelligence upon our affair ("operation"), presuming that you will have received the Letter he wrote you lately by the way of Martinique.

We are now the first vessel to be paid, and I think we shall be able to leave towards the end of this month.

On the 21st of December we were visited by a Boat from the Brig of War "*Dragon*," Commandant Lâchelier. The Officer, after having searched the Schooner, and having been furnished with the Papers, gave me an order to follow him, that I might be able to answer such questions as the Commanding Officer might think proper to put to me. (I then mentioned that the Captain had had the misfortune to loose M. Durand four days previous,—on the 17th of December.) When I got aboard, M. Lâchelier asked me why we were anchored at Shebar, while our clearances stated St. Thomas's, on the Coast of Africa? I answered, that when passing here, a part of the crew being sick, Captain Durand, in concert with M. Lavalette, Supercargo, had thought proper to enter the River where we found ourselves, for the purpose of giving rest to the people, as well as fresh provisions; and that having found an opportunity of bartering our goods for the produce of the country, we had given them out to different Traders, who were to pay us in a short time.

M. Lâchelier put me off to the next day to receive the answer that he was to give me, which he made me in nearly these terms:—"Sir, after having considered the circumstances in which your Vessel is found, I cannot decide any thing without seeing her myself, therefore I send you back to arrange every thing aboard for passing the Bar to-morrow; I observe to you, that I shall consider the not bringing out of the Vessel as a disobedience of my orders, even if the Pilot shall refuse to bring her."

Not seeing any answer that could be made to such unjust orders, I set off without his giving me back the Papers, in the same Boat: she had more men than the evening before, without reckoning a Master, a Quarter-master, and the same Officer, who were to be witnesses of our preparations: in that day we were ready for sea: I was three times ashore to ask for a Pilot—three times he was refused to me. The Officer to whom I made known my useless exertions made a note of it, and told me that he would go the next day with the Supercargo and three men of the crew, that the Commandant might examine them, and probably he might consider that sufficient. M. Lavalette, with his three men, set off on the 23d, in a boat belonging to the roadsted, accompanied by the Brig's boat, and did not return till the next day (the 24th), at 8 o'clock in the morning, with the same crew in his boat, without any other escort, after having undergone an examination of five hours, and each of our sailors nearly two. M. Lavalette told me I must get ready directly, to go again aboard the Brig to demand our Papers, which they had refused to give back to him.

At six o'clock I passed the Bar, and got on board the "*Dragon*," at ten; the Commandant immediately sent for me into his cabin, and made me undergo an examination nearly like that of M. Lavalette: after about three hours sitting, he told me I might retire, and asked me if there would be time for me to return into the River, supposing he sent me off in the afternoon; I replied, "Yes, provided it was not later than five o'clock." At four o'clock he sent for me again, that I might take notice of all the Papers he gave me back, and particularly these two Endorse-

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ments that he had put on the Roll of the Crew and upon the Vessel's Passport, after which I came away. This is a Copy of that on the Passport nearly:—

"That having suspected this Vessel of being engaged in the Slave-trade, the questions which have been put to the Captain, the Supercargo, and other persons belonging to the Vessel, have confirmed him in the suspicion of unlawful traffick on this point of the Coast: that, in conformity with the 9th Article of the Ministerial Orders, his intention was to seize this Vessel and send her to a French Colony, for her case to be enquired into and adjudicated; but he has not been able to follow up his intentions, on account of the hindrances he has met with to get the Vessel out of the River, which is very dangerous, and cannot be done without a Pilot; those of the Country being too far off, and having declared that they will not make their appearance until the departure of the "Dragon;" that, in consequence, he has thought fit to give back to the Captain the Papers of his Vessel, which he had given him to examine, that he may not upon supposition, though justly founded, make it impossible for him to continue this voyage with safety; but he also thinks it necessary, for his own responsibility, to write the present Declaration upon the Passport of the Schooner "La Rose," until he can make known to the Commandant of the African Station the circumstances relating to the search and abandonment of this Vessel.

(Signed) LACHELIER."

Pray, Gentlemen, notwithstanding all this, feel no uneasiness; we will endeavour to finish a voyage which has undergone some difficulties up to the present moment, but of which I have a tolerable good opinion, having seen the wisdom and prudence of M. Bray de Lavalette.

(Signed) ALLE. HUART.

#### Third Enclosure in No. 4.

*Translation of a Letter addressed to "Messrs. Lancous Lancelier, Merchants, Basse Terre," deposited in the Registry of the Court of Vice Admiralty in this Colony.*

GENTLEMEN,

Shebar, 3d January, 1825.

SINCE I had the honour of forwarding my last to you, in which I remarked to you that after 59 days' passage, I had arrived at Shebar, where I had traded with the King 130 logs "Bil-lots," having still something to trade with in spite of great competition. From the 15th to the 20th some sinister events occurred along the line of the Northern Coast; two very large Brigs, a Corvette and a Gun-brig, compose the Naval force of the Station, and the instruction of the Commanders are such, that it is sufficient to be found in Africa to be seized and sent either to Cayenne or Goree.

A fine Brig belonging to Nantes, and the poor Flinke, have found themselves in this predicament, and the latter was doing nothing, but land at the Gallinas with his samples under his arm. We have been more fortunate at Shebar, and that, thanks to the great draft of water of the National Brig, the Dragon; nevertheless we have been boarded by the Boats of that Vessel, and willing or unwilling, we were obliged to go on board, and submit to an examination, where we all said the same; in spite of this circumstance, the Commandant has endorsed my Passport and Roll in the most positive manner. This is the substance of what he has written:—"I deem this vessel upon the Coast for the purpose of engaging in an unlawful trade in negroes, and if it had been possible for me to have obtained a Pilot of the Country, to bring her out of the River, I should have seized her."

My Voyage being legal and purely commercial, on my return will there be no means of obtaining redress for such crying injustice? I should not finish if I wished to give you the minutest part of what my indignation against such an arbitrary act made me say to M. Lachelier, however every thing passed off with decency.

Before the appearance of this Brig, we had been visited twice by the English, but without any inconvenience. I have great troubles here, my second and myself have missed, finishing the year very badly. God send that of 1825, may be more happy for us. At the end of January, this current year, or in the month of February, I shall go out of this, and, without some unfortunate rencontre, in the month of March, or beginning of April, I calculate on embracing you.

Rely on the devotedness and affection of your Servant,

(Signed) VOR PATISANIER.

*Extracts of a Letter found on board the Cutter "Les deux Sœurs," addressed to M. De Manaton, Docteur Medecin, Nantes, No. 70, Sur Les Ponts, and translated from the Original; Deposited in the Registry in the Court of Vice Admiralty in this Colony.*

Shebar, Coast of Africa, 2d January, 1825.

WE have been visited by an English Boat, (*Penish*.) which said nothing to us; but 15 days afterwards we were visited by a Boat belonging to the "Dragon," she obliged Mr. Huart, and Mr. Lavalette to go on board, and obliged them to answer too many questions; they wished to have the Vessel taken outside the Bar, but we told them that having no Pilot we could not risk



such a thing, for when we saw the Boat coming, Mr. Lavallette was on shore, and he obliged the Pilot to go away; this excuse answered our purpose very well, for without it we should have been sent to Senegal or Cayenne for adjudication.

There is also laying here a very fine Schooner, which, when she saw the Boat coming, took her anchor up and ran on shore; but it being only a sand bank, she was easily got off again some days afterwards.

We are very near an English Factory, for we are only twelve leagues from Sierra Leone.

Mr. Petit Pierre will not be well satisfied with the intelligence he will find in this Letter of Mr. Huart, for he will there learn the capture of one of his Vessels by the "Dragon," his Captain, Mr. Dutertre, will doubtless take his passage with us as Mate; the Brig "Le Glaqueur," has also been captured by the Dragon at the Gallinas, but she has been only sent to Cayenne for adjudication.

Mr. Lavalette is at present at the Gallinas, for the purpose, I think, of obtaining 100 of the blacks belonging to the "Glanneur," the Captain of which Vessel remains on shore, and I think also that Mr. Jicquel will take the remainder.

Your respectful Son,

(Signed) MANATON.

I presume that immediately after our arrival at St. Thomas's, we shall return to the Coast, and our Schooner will be sold there, for Mr. Lavalette will not return to France, since his Roll and Passport (*congé*), have been so well endorsed (*aspostillés*), by Mr. Lachelier, Commander of the "Dragon."

#### Fourth Enclosure in No. 4.

*Translation of the Letter of Instructions from M. La Roche, Owner, to Henri Mornet, Captain of the Cutter "Les Deux Sœurs," found among the Papers of that Vessel, deposited in the Registry of the Court of Vice Admiralty in this Colony.*

SIR,

St. Pierre, 3d August, 1824.

YOU will repair direct to the Coast of Africa, to trade there in billets of ebony wood; the cargo which I give you being well chosen, and as advantageous as possible. I hope that you will bring back one, at your return, that will answer our expectations. I do not wish to have billets either too large or too small, but particularly sound.

You will return to Martinique, Pointe des Salines, at the second landing at the sea-shore; taking care not to pass, "Pointe Dunkerque," so as to expose yourself to the sight of the Marine.

You will land the things with which you may be loaded; at your arrival you will find orders for you to follow in the continuation of your voyage.

Wishing you a fortunate and quick return,

I am your devoted Servant,

Mr. Henry Mornet, on board the *Deux Sœurs*.

(Signed)

HTE. DE LA ROCHE.

#### *Instructions and Allowances for the Captain and Crew of "Les Deux Sœurs," Captain Henri Mornet.*

A GOOD understanding being the basis of success in all commercial and maritime operations. I cannot too much recommend to Captain Henri, the keeping up the best understanding and discipline among the crew; recommending the most perfect agreement with his Mate, and advising also that if, at the place where he is going, he should meet with any Countryman about the same affair, to have a perfect understanding with him, so as not to injure the common interest.

He will also take the greatest pains, as much for the preservation of the property, as in the care he will bestow upon the return cargo, which is the most essential thing. For which care and trouble he is allowed, as well as for all commissions of sale and purchase, out and home, upon each bale ("par balle ou ballot") consisting only of the return cargo that may be landed sound, safe, and without damage at the place of her destination, the sum of 54 livres to Captain Henri, 36 livres to his Mate; besides which will be paid, for wages to Captain Henri, 540 livres per month, to the Mate Durand 450 livres, to the Lieutenant 225 livres, to the Master 270 livres, to the Cook 225 livres, and 180 livres to each Sailor per month, without any regard to the wages put upon the "role d'équipage."

As to the choice of the return cargo, it is expressly recommended to the Captain and to his Officers, if there is opportunity of choosing, not to embark any other "balles" or "ballots" than those that weigh from 10 to 20 Arabas, of which the two-thirds to be in "ballots," and the other third in "balles;" it being expressly agreed, that if there are any "balles" or "ballots" found among the cargo under 10 or above 20 Arabas, the Captain's allowances upon each of the "balles" or "ballots" to be reduced one half, the same for any that may be damaged, otherwise than by the chances of the voyage.

Under no pretext whatever must one "balle" or "ballot" be embarked, at the Sloop's return, upon any freight; and if any should be found, they will belong of right to the Owner of the Vessel, without paying any recompence whatever.



Presuming that the proceeds of the sale of the cargo will be sufficient to obtain a return cargo of about 150 "balles" or ballots," and having every confidence in the sagacity of the Captain and his Officers, I give them full latitude to act according to their own knowledge, and the best for those interests which are confided to them.

If circumstances should be such, that the outward cargo should be more than sufficient to obtain the return cargo, it is expressly recommended to leave nothing in the Country; but to bring back, in produce, the value of the overplus, choosing the most valuable and least bulky, upon which, after valuation of sale, the Captain shall be allowed a commission of five per cent.

On the receipt of the Letter of Departure which will be addressed to Captain Henri, he will conform to it on every point, in directing his steps to the place where he is to make his trade, and will return direct here, or touch at the point mentioned in the same Letter; there he will find fresh Instructions, and my Orders for the rest of the affair, to which he will conform, it being expressly agreed that if it be necessary to give the Sloop another destination, either before having disembarked any thing here, or after having landed a part of the cargo, Captain Henri Mornet, and his Mate, Durand, will conform to the Orders which will be given them upon this subject, without any observation whatever, and follow their route for the place which will be pointed out to them.

It is agreed and recommended to M. Durand, to keep for the Captain a very exact Journal of the Sales and Purchases which shall be made in the business which is intrusted to them, and he will commence it at the beginning of the Trade.

Notwithstanding the above paragraph concerning the freight, Captain Henri Mornet is permitted to embark on board the Sloop one ballot, upon his own account, without paying any freight or remuneration.

#### *Fifth Enclosure in No. 4.*

#### *Extract of No. 315 of the Sierra Leone Gazette, under date June the 12th, 1824.*

THE Brig "*El Romano*," commanded by José del Catarro, armed with 16 eighteen-pounders, and manned with 20 Officers and 130 men, was fitted out by a Company of Merchants at the Havannah, and sent to this Coast. On the 9th of March last she made Trade Town, and there fell in with the French Lugger, "*L'Henrietta Aimé*;" which Vessel, Harry Karsdorp, a native of Holland, the second Mate, declares to have belonged to Martinique, and to have been lying at Trade Town for slaves.

This Vessel, the "*El Romano*" seized; she sent the crew on shore, except two; and after some delay proceeded down the Coast with her seizure. About the 9th of April she fell in, near the River St. Andrews, with "*El Vincedor*," under the Brazilian Flag, fitted out for the Slave-trade, and seized her also, sending her crew afterwards on board a Dutch Vessel bound for Elmina.

*El Romano*, with her two seizures then proceeded to Lagos, where the cargo of "*El Vincedor*" was landed, and bartered for a cargo of slaves to be shipped on board, "*L'Henrietta Aimé*," Lugger, and "*El Vincedor*" was manned and armed from the "*El Romano*," the command was given to Don Jose de Bagona; she was armed with 6 guns, 40 barrels of gun-powder, and manned with 5 Officers and 16 men.

"*El Romano*" here pretended to be a Slaver armed for the protection of the Brig and Lugger, her consorts, and was anxiously waiting till a Brazilian Brig and Schooner, lying at Lagos, had received their Slaves, (about 800) with an intention of then seizing them, when His Majesty's Ship "*Victor*," Captain Scott, hove in sight, the two Brigs immediately cut their cables and put to sea; after a long chase "*El Vincedor*" was re-captured, but "*El Romano*" escaped. Captain Scott returned to Lagos as soon as possible, which place he could not, however, regain in less than two days, when he found the Lugger still at anchor. On the appearance of the "*Victor*," a Boat full of men was seen to leave the Lugger; after which she got under weigh, but instead of attempting to escape ran on shore in a heavy surf, where she immediately went to pieces, and we regret to add, that from the number of blacks observed on her decks, there can be no doubt she had her cargo of slaves on board, all of whom perished!

The Brazilian Schooner was still there waiting for her cargo, the Brig had sailed the night before with 500 unfortunate human beings on board. Captain Scott immediately sailed in hopes of overtaking her, and saw "*El Romano*" again that day, but was unable to reach her, and was not fortunate enough to overtake the Ship.

#### No. 5.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received Aug. 9.)*

SIR,

*Sierra Leone, May 11, 1825.*

WE have the honour to acknowledge the receipt of your Despatch of the 28th of February last, furnishing us with the Copy of a Letter from the Secretary to the Admiralty, giving an account of Ships and Vessels in His



Majesty's Navy, which have been furnished with the Instructions for Cruisers, conformably to the Treaty with His Netherlands Majesty of the 4th of May 1818.

We also beg leave to inform you of the receipt of your Despatch of the 16th of March, with its Enclosures, on the subject of the over-rating in tonnage of Vessels employed in the legal Slave-trade.

We have the honour to be, &c.

(Signed) CHARLES TURNER, Governor.

Acting Commissary Judge.

*The Right Hon. George Canning,*  
&c. &c. &c.

J. REFFELL.

No. 6.

*Mr. Secretary Canning to John Tasker Williams, Esq.*

SIR,

*Foreign Office, September 10, 1825.*

HIS Majesty's Government having permitted you to delay repairing to your post, until that period of the year when an European may, without considerable danger to his health, establish himself at Sierra Leone; I have (that period being now arrived) to convey to you The King's Commands, that you proceed without further delay, to execute the duties of His Majesty's Commissary Judge to the several Mixed Commissions established at Sierra Leone, under the Convention concluded between Great Britain and Portugal on the 28th of July 1817, the Treaty concluded between Great Britain and Spain on the 23d of September 1817, and the Treaty concluded between Great Britain and the Netherlands on the 4th of May 1818, for the prevention of illegal Slave-trade.

I send to you, herewith, the Commissions, bearing date the 1st of August 1825, by which The King was pleased to appoint you to the above mentioned situation.

You will shew these Commissions to the Commissioners acting on the part of His Majesty at Sierra Leone, and, after conferring with those Gentlemen, who will introduce you to such of the Foreign Commissioners appointed under the above mentioned Treaties as may be resident at Sierra Leone, and to the Local Authorities, you will proceed to take the requisite oaths in the form prescribed, and will enter upon the duties entrusted to your charge.

You will consider the Instructions sent out from this Office for the guidance of your Predecessor, and of Mr. D. M. Hamilton, as equally addressed to yourself; and you will take those Instructions, together with the Treaties above mentioned, and the Acts of Parliament founded upon them, as the rules of your conduct.

Farther instructions and directions will be forwarded to you from time to time, as circumstances may require.

I am, &c.

(Signed) GEORGE CANNING.

*His Majesty's Commissary Judge, Sierra Leone.*

No. 7.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received September 17.)*

SIR,

*Sierra Leone, June 17, 1825.*

WE have the honour to acknowledge the receipt of your Despatch of the 21st of March 1825, informing us that His Majesty has been pleased to

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nominate and appoint William Smith, Esq. to be Registrar to the Mixed Commissions established at Sierra Leone, under the Treaties with Foreign Powers for the repression of illegal Slave-trade. We beg to communicate the arrival of that Gentleman on the 24th ultimo.

Agreeably to the desire conveyed in your Despatch, we have administered to Mr. Smith, in proper form, the oath prescribed to be taken by him, and he has accordingly entered upon the exercise of the duties of the situation to which he is appointed. We have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) CHARLES TURNER,  
G. RENDALL.

## No. 8.

*Joseph Planta, Junior, Esq. to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, September 27, 1825.*

THIS Letter will be delivered to you by Mr. John Tasker Williams, whom The King has been pleased to appoint to be His Majesty's Commissary Judge at Sierra Leone, under the Treaties with Foreign Powers for the suppression of illegal Slave-trade.

Mr. Williams will shew to you his Commission and Instructions, and I am directed by Mr. Secretary Canning to request, that you will introduce Mr. Williams to the Foreign Commissioners acting with you at Sierra Leone, and to the Local Authorities; and that, having assisted at his taking the proper Oaths in the prescribed form, you will regularly install him as His Majesty's Commissary Judge.

You will deliver up to Mr. Williams the Archives of the Correspondence of the Commission at Sierra Leone. I am, &c.

(Signed) J. PLANTA, Junior.

*His Majesty's Acting Commissioners, Sierra Leone.*

## No. 9.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received November 23.)*

SIR,

*Sierra Leone, September 6, 1825.*

WE have the honour to acknowledge the receipt of your Despatch of the 15th of June last, transmitting for our information six copies of Papers, marked A and B, relative to the Slave-trade, which have been presented to both Houses of Parliament during the last Session.

We are, with the greatest respect, &c.

(Signed) CHAS. TURNER,  
G. RENDALL.

*The Right Hon. George Canning,*  
&c. &c. &c.



## SIERRA LEONE. (Separate.)

No. 10.

*Mr. Consul-General Clarke to Mr. Secretary Canning.—(Received April 7.)*

(Extract.)

*St. Jago, February 15, 1825.*

I HAVE now to acquaint you that Brandon arrived here on the 31st ult., in a large Brig, mounting six guns, well manned, which is at present painted all black: she is now again preparing for Sea, waiting only the arrival of his Schooner from Surinam and America. At the former place she landed her cargo of slaves, upwards of 200. From the information I am able to obtain, it appears that Surinam is the principal mart for slaves from Bissau, Cacheu, and these Islands.

There is at present at this Port a large Spanish Schooner, mounting one long 24-pounder on a pivot, and four carronades, expressly fitted up for slaving, and has lately returned from Cacheu. Some misunderstanding having arisen between the Commandant of that place and the Captain of the Schooner, she proceeds to Bonavista for orders, and I have every reason to believe will return to the Coast again. The Captain has been 15 years in the trade, and never once captured. Captain Woolcombe, of His Majesty's Ship Victor, boarded her, about the middle of last month, off the Gambia.

I have now an opportunity, of which I shall avail myself, of writing to the proper Authorities at Sierra Leone, and to Commodore Bullen (by way of the Gambia) relative to these Vessels.

(Signed)

J. P. CLARKE.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

No. 11.

*G. Rendall, Esq. to Mr. Secretary Canning.—(Received April 7.)*

SIR, *Mixed Commission Office, Sierra Leone, February 1, 1825.*

I HAVE the honour to enclose herewith a Return of all Slaves emancipated by the Courts of Mixed Commission established in this Colony for the suppression of the illicit traffick in slaves, during the period commencing the 5th day of July 1824, and ending the 5th day of January 1825.

I have, &amp;c.

(Signed)

G. RENDALL, Acting Registrar.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

*Mem.*—The Enclosure contains the Names and Particulars of Emancipation and Registry of Slaves, from No. 4237 to No. 5036, amounting to 800 slaves.



## No. 12.

*D. M. Hamilton, Esq. to Mr. Secretary Canning.—(Received June 14.)*

SIR,

*Sierra Leone, April 6, 1825.*

I AM honoured with your Letter of the 18th of January last, communicating to me that His Majesty had been graciously pleased to grant me permission to return to Europe for the benefit of my health.

His Excellency Major General Turner being at present absent on a visit to the Forts on the Gold Coast, and as I fear some embarrassment may possibly arise in provisionally filling my Situation, should I quit the Colony during his absence, it is therefore my intention, if possible, not to avail myself of His Majesty's most gracious indulgence till His Excellency's return to the Colony, which I expect will be about the latter end of next month.

I have the honour to be, &c.

(Signed)

D. M. HAMILTON.

*The Right Hon. George Canning,*  
 &c. &c. &c.

## No. 13.

*J. Reffell, Esq. to Joseph Planta, Junior, Esq.—(Received August 18.)*

SIR,

*Sierra Leone, June 6, 1825.*

HAVING obtained leave of absence, as Colonial Secretary, from His Excellency Major General Turner, to return to Europe for the recovery of my health, which is much impaired by a very long residence here, I deem it my duty to acquaint you of the circumstance, for the information of the Right Honourable the Secretary of State, and to enclose a Certificate of the Surgeon of this Commission, shewing the necessity of my taking my departure without delay; this I therefore purpose doing by a Vessel that leaves this on Sunday next, by which time I am in hopes His Excellency the Governor, who is Commissary Judge, *ad interim*, will have returned here from his visit to the Gambia.

I have the honour to be, &c.

*J. Planta Jun. Esq.*  
 &c. &c. &c.

(Signed)

J. REFFELL.

## No. 14.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, October 7, 1825.*

I HEREWITH send to you for your information, the Copies of two Letters which have passed between this Office and the Colonial Department, on the subject of filling up, *ad interim*, the Vacancies which may, from time to time, occur in the British Judgeship in the Mixed Commission at Sierra Leone.

I am, &c.

(Signed)

GEORGE CANNING.

*His Majesty's Commissioners, Sierra Leone.*



## First Enclosure in No. 14.

Joseph Planta, Jun. Esq. to R. W. Hay, Esq.

SIR,

Foreign Office, October 4th, 1825.

I AM directed by Mr. Secretary Canning to acquaint you, for the information of Earl Bathurst, that J. T. Williams, Esq. His Majesty's Commissary Judge at Sierra Leone, under the Slave-trade Restriction Treaties, is now about to leave England for his Post, and that D. M. Hamilton, Esq. His Majesty's Commissioner of Arbitration in the same Court, is returned to England on leave of absence.

Mr. Canning feels it to be very desirable that the vacancy occasioned by Mr. Hamilton's absence should be efficiently and properly filled up without delay, according to the tenour of the 14th Article of the "Regulations for the Mixed Commissions."

This Article stipulates, "that vacancies in the Commission shall be filled up, *ad interim*, successively by the Governor or Lieutenant Governor resident in the Colony, by the principal Magistrate of the Place, and by the Secretary."

The vacancy therefore occasioned by the absence of Mr. D. M. Hamilton must be filled up, *ad interim*, by the Governor of Sierra Leone, but as his duties as Governor General of His Majesty's Settlements on the Gold Coast, necessarily occasion him to be frequently absent from Sierra Leone, the vacancy in the Commission, which may be occasioned by his absence, should be appointed, *ad interim*, must be filled up by the next person described, namely, the Chief Magistrate, whom His Majesty's Law Officers report to be, at Sierra Leone, the Chief Justice.

Mr. Canning desires me, therefore, to request, that you will be pleased to move Earl Bathurst to apprise the Governor of Sierra Leone, that the temporary vacancy which has now occurred in the Sierra Leone Commission, by Mr. Hamilton's absence, should be filled up by his taking the Office held by Mr. Hamilton, upon himself as Governor, and in the event of his being obliged to leave the Colony, the vacancy so occasioned should be filled up by appointing the Chief Justice, or Acting Chief Justice, to the said Office; and to give directions to the Governor to carry these instructions into effect.

I am likewise to suggest, in order to prevent the inconveniences which must arise to the Publick Service, from irregular and improper appointments, that you will move Earl Bathurst to be pleased to give directions to the Governor of Sierra Leone, that in any future case of vacancy in the Mixed Commission, the same course be observed, namely, that the first vacancy be filled, temporarily, by the Governor, and in the event of his absence, by the Chief Justice, or Acting Chief Justice, and that if a second vacancy occur in the Commission before the first vacancy be definitively filled up by an appointment from England, then the highest Place, (that of Commissary Judge,) be held by the Governor, or if he be absent, by the Chief Justice, or Acting Chief Justice, and the second Place, or that of Arbitrator, be held either by the Chief Justice or the Government Secretary to the Colony, according to the Person by whom the first, *ad interim*, appointment is filled, viz. by the Chief Justice, if the first appointment be filled, *ad interim*, by the Governor, and by the Secretary to the Colony, if it be filled by the Chief Justice.

Mr. Canning desires me likewise to request, that you will be pleased to move Earl Bathurst to instruct the Governor and Authorities of Sierra Leone, to shew all that courtesy and consideration to His Majesty's Commissioners, which is due to the publick character they bear, and which will tend to secure to the Court, in which they preside, the respect necessary to give a proper efficiency to its proceedings.

I am, &amp;c.

R. W. Hay, Esq.  
&c. &c. &c.

(Signed) JOSEPH PLANTA, Jun.

## Second Enclosure in No. 14.

R. W. Hay, Esq. to Joseph Planta, Jun. Esq.

SIR,

Downing-Street, 6th October 1825.

HAVING laid before Earl Bathurst your Letter of the 4th instant, stating the arrangements which Mr. Secretary Canning wishes to be observed in future, in filling up any vacancy which may occur among His Majesty's Commissary Judges in the Court of Mixed Commission at Sierra Leone, I am directed by his Lordship to acquaint you, for Mr. Canning's information, that the Governor of that Colony will be instructed to attend as much as possible to the wishes which Mr. Canning has expressed upon this subject; and I am directed to add that Chief Justice Hamilton is now preparing to return to the Colony.

I am, &amp;c.

J. Planta, Jun. Esq.

&amp;c. &amp;c. &amp;c.

(Signed) R. W. HAY.



## SIERRA LEONE. *(Spain.)*

No. 15.

*His Majesty's Commissioners to Mr. Secretary Canning.—*  
(Received June 24.)

SIR,

*Sierra Leone, April 13, 1825.*

WE have the honour to enclose for your information, the Report of the Case of the Spanish Schooner "*Española*," Francisco Ramon Rodriguez, Master, brought in here for adjudication on the 14th ult. having been captured on the 7th of the same Month, off the Gallinas, by His Majesty's Ship *Atholl*, commanded by Captain Murray, with 270 slaves on board, for illicit Slave-trading: this Vessel was condemned, and the slaves emancipated on the 19th of March 1825.

We have the honour to be, &c.

(Signed)

D. M. HAMILTON.

*The Right Hon. George Canning,*  
&c. &c. &c.

J. REFFELL.

*Enclosure in No. 15.*

*Report of the Case of the Spanish Schooner "Espanola," Francisco Ramon Rodriguez, Master.*

THIS Vessel arrived in the Harbour of Sierra Leone, on the 14th of March last, with 270 slaves on board, they consisted of 75 men, 32 women, 93 boys, and 70 girls. On the following day the Ship's Papers were brought into the Registry of the Court by the Captor, Captain Murray, of His Majesty's Ship "*Atholl*," who declared her to have been captured off the Gallinas, on the 7th of March, in latitude 5° 21' North, and longitude 13° 13' West. A Monition was prayed by him, which was issued, calling upon all persons having, or pretending to have, any right, title, or interest in the Schooner "*Espanola*," to appear and make claim, which was afterwards returned, as duly served.

The Papers of the *Espanola*, and the Depositions of the Master, and the First Pilot, shew that she was fitted out at the Havannah for a Slave-trading voyage, by Francisco Ramon Rodriguez, the Master and ostensible Owner; she was well armed, with a long gun mounted on a traverse, 18 pistols, and 24 cutlasses; had 80 rounds of ammunition for the gun, and 600 rounds for small arms, and manned with a crew of 25 men and Officers. Her outward cargo consisted of tobacco, rum, aquadente, and piece goods, which was disposed of at Gallinas, where a cargo of 270 slaves was taken on board. She was captured under Spanish Colours, and had the Flags of several other Nations aboard.

After leaving the Havannah, on the outward bound voyage she put into Charlestown to refit, where she purchased tobacco to the amount of 1200 dollars, as appears from an account furnished by the Ship's Agent at that Place.

The Master states in his evidence that the Schooner is of American build, and that he purchased her three years since at the Havannah for 6000 dollars, from Captain Garnin, an American, and her Papers place it beyond a doubt that she is, *bond fide*, Spanish property.

The proofs of illicit Slave-trade being clear, the Court unhesitatingly pronounced a sentence of condemnation against the vessel, and decreed the emancipation of her slaves, on the 19th of March 1825.

(Signed)

D. M. HAMILTON.

*Sierra Leone, April 13, 1825.*

J. REFFELL.

No. 16.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, February 23, 1826.*

I SEND to you the Copy of a Communication from the Admiralty, containing a Statement of the arrival at Cuba of a Spanish Brig, reported to have re-captured on the Coast of Africa, two Vessels concerned in the Slave-



trade, which Vessels had been detained by a British Cruizer, and were on their way to Sierra Leone, for adjudication, when they were met by the Spanish Brig.

You will be so good as to make what enquiries you can into the truth of this transaction, and report to me the result, for the information of His Majesty's Government.

I am, &c.

(Signed)

GEORGE CANNING.

*His Majesty's Commissioners, Sierra Leone.*

*First Enclosure in No. 16.*

*John Barrow, Esq. to Joseph Planta, Jun. Esq.*

SIR,

*Admiralty Office, February 7, 1826.*

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Mr. Secretary Canning, Copies of two Letters and their Inclosures, from Vice Admiral Sir Lawrence Halsted, relative to the reported arrival of a Spanish Slave-vessel at Saint Jago de Cuba, which had re-captured on the Coast of Africa two Vessels of a similar description, detained by a British Cruizer, and on their way to Sierra Leone for adjudication.

I am to observe, that no account of such an occurrence appears in the Letters from Commodore Bullen, but my Lords have directed copies of the above to be transmitted to him.

I am, &c.

(Signed) JOHN BARROW.

*J. Planta, jun. Esq.*  
&c. &c. &c.

*Second Enclosure (A.) in No. 16.*

*Vice Admiral Halsted to J. W. Croker, Esq.*

SIR,

*Isis, Port Royal Harbour, Jamaica, December 7, 1825.*

THE paragraph of which the enclosed is a Copy, having appeared in most of the Newspapers of this Island, stating that the Spanish Guineaman "*Pelicano*," or "*Galvano*," had, in approaching the Coast of Africa, fallen in with a Brigantine and a Schooner with negroes on board, as they were proceeding to Sierra Leone for adjudication, after seizure by a British Cruizer; which vessels, the said "*Pelicano*" re-captured, divided the Slaves, and recently arrived at Saint Jago de Cuba with the Brigantine in company: you will be pleased to acquaint the Lords Commissioners of the Admiralty, that I sent for the Master of an English Schooner who brought over the report, and satisfying myself of the apparent truth and probability thereof, I addressed to the Governor of Saint Jago de Cuba, a letter, of which the further Inclosure is a Copy, and shall send the "*Isis*" with it to-morrow.

I have, &c.

(Signed) L. W. HALSTED, Vice Admiral.

*J. W. Croker, Esq.*  
&c. &c. &c.

*Second Enclosure (B.) in No. 16.*

*Extract from the Jamaica Royal Gazette, December 3, 1825.*

ARRIVED at St. Jago de Cuba, on the 29th ult. the armed Guineaman, "*Pelicano*," (formerly His Majesty's Brig "*Kite*"), with a Brigantine belonging to that Port, both Vessels laden with slaves; the Brigantine with another Slave-vessel, and a Schooner under Portuguese Colours, were captured on the Coast of Africa by one of the British Cruizers on the Sierra Leone Station, and ordered thither; but were fallen in with shortly afterwards by the "*Pelicano*," and re-captured by her. The Schooner was momentarily expected at St. Jago. The seamen that had been sent on board these Vessels from the British Cruizers, did not arrive in the Brigantine, some of the Spaniards asserting that they were landed on the Coast; while others stated that they were put on board a small Vessel, and sent to Sierra Leone; some fears were therefore entertained for them at St. Jago de Cuba.

*Second Enclosure (C.) in No. 16.*

*Vice Admiral Halsted to the Governor of St. Jago de Cuba.*

MOST EXCELLENT SIR,

*His Majesty's Ship Isis, Jamaica, 4th December 1825.*

I BEG to acquaint your Excellency, that I have received information that a Brig, under the Colours of the King of Spain, named the "*Pelicano*" or "*Galvano*," had arrived at the Port of St. Jago de Cuba, on or about the 29th ultimo, in company with a Brigantine under the same Colours, after having landed the slaves—which they had on board, and I am further informed that the Brig "*Pelicano*" had fallen in with the said Brigantine, the name of which I do not know, not a great way from the Coast of Africa, under the same Colours as before-mentioned, and a Schooner with Portuguese Colours, both of which had been taken possession of by a British



Cruizer, in consequence of their having slaves on board, and were on their way to Sierra Leone. Upon the Captain of the "Pelicano" finding out the state of these Vessels, he, it seems, did by force of arms take possession of them, and having divided the Negroes between them, made sail for St. Jago de Cuba.

This act is neither more nor less than one of piracy of the worst description, for, as I have no information of what became of the British seamen that were on board the Vessels so piratically seized upon, it is reasonable to suppose they have been murdered. Your Excellency, I am sure, will view the act of the Captain of the "Pelicano" in its proper light, and cause an immediate enquiry to be made into the circumstance as related, and if found to be correct, I do, in the most solemn manner, demand the restitution of the Brigantine, to be disposed of as the British Government may think proper hereafter: and in the event of the arrival of the Schooner before-mentioned, I do demand her in the same manner. I have sent Captain Patton, of His Britannick Majesty's Ship "Isis," with this Letter, who will have the honour of delivering the same to you, and wait Your Excellency's answer.

I have, &c.

Don Francisco Illas,  
&c. &c. &c.

(Signed) L. H. HALSTED.

*Third Enclosure (A.) in No. 16.*

*Vice Admiral Halsted to J. W. Croker, Esq.*

SIR,

Isis, Port Royal Harbour, Jamaica, December 20, 1825.

WITH reference to my Letter of the 7th Instant, I enclose, for the information of the Lords Commissioners of the Admiralty, a copy of the Governor of Saint Jago de Cuba's reply to the Despatch I addressed to him, relative to the report of a Slaver, under Spanish Colours, having recaptured, in approaching the Coast of Africa, a Brigantine and a Schooner with Negroes on board, as they were proceeding to Sierra Leone for adjudication to one of His Majesty's Ships, which had previously detained them; notwithstanding this reply I have great reason to believe, from what I have been able to obtain, relative to the subject, that such a circumstance has actually taken place, but the truth will still depend upon the Returns from the Ships employed on the Coast of Africa.

I have, &c.

J. W. Croker, Esq.  
&c. &c. &c.

(Signed) L. H. HALSTED, Vice Admiral.

*Third Enclosure (B.) in No. 16.*

*The Governor of Cuba to Vice Admiral Halsted.*

MOST EXCELLENT SIR,

St. Jago de Cuba, 14th December 1825.

ON the receipt of your Excellency's official Letter of the 4th instant, which was delivered to me by the Commander of His Britannick Majesty's Frigate "Isis," and in which you are pleased to demand of me, the restitution of a Brig and of a Schooner, which, (having been captured by an English Privateer\*, in consequence of her having slaves on board) were taken on the Coast of Africa by a Spanish Brig called the "Pelican" or "Gabilar," which is said to have brought the former into this Port on the 29th of last month, after having landed the slaves that were on board of the first mentioned Vessel, I ordered the necessary enquiry to be made into the subject, from which it appears, that on the 28th of the same month the Spanish Brig "Nuestra Señora del Vinet," or the "Felix," formerly called the "Gabilar" from St. Thomas, bound to Trinidad, with a cargo of dry goods, was obliged to put into this Port, from whence she again proceeded on her voyage, on the 3d instant, with the same cargo, for Trinidad, to windward; her Captain, Don Jozé Sagarra, having remained on shore, and the Mate, Don Jozé Mauri, having succeeded to the Command of the Vessel in his absence.

In regard to the other Brig claimed by your Excellency, I have discovered that on the 29th of the same month, the Spanish Brigantine "Juanita," from the Island of Ibirá, bound to the Havana, came into this Port after having touched at St. Thomas, was plundered to the southward of the Island of St. Domingo, by an Insurgent Privateer Brig, which robbed her of all her cargo, and of her sailing Papers. She was ultimately dispatched for the place of her destination (the Havana) on the 2d instant.

From what I have now stated, your Excellency will observe, that it is impossible for me to comply with your wishes, by delivering up the Brig claimed, since she is not in this Port; but I shall, notwithstanding, continue to make every possible enquiry, in order to find out the Captain of the "Gabilar," who, as I am informed, is in the interior of the Island, in order, that I may be able to ascertain, through him, the truth of the facts alleged against him, and decide thereon, in conformity to the Laws.

May God preserve your Excellency many years.

(Signed) FRANCISCO ILLAS.

His Excellency the Vice-Admiral,  
Commander-in-Chief of His Britannick Majesty's Squadron.

\* My letter said "British Cruizer." L. H. H.



## SIERRA LEONE. (*Portugal.*)

No. 17.

*Mr. Secretary Canning to His Majesty's Commissioners.*

(Extract.)

*Foreign Office, April 28, 1825.*

IN reference to your Despatch, marked Portugal, of the 24th of July 1822, upon the Case of the "*Dez de Fevereiro*," taken by Sir Robert Mends, and condemned on the 22d of June 1822, for illegal Slave-trade; I forward to you, for your information, the accompanying copy of a Letter from M. de Villa Real, His Most Faithful Majesty's Envoy Extraordinary and Minister Plenipotentiary at this Court, praying for a repeal of a Sentence given in this Case; and also the copy of the Answer, which I have addressed to the Letter of M. de Villa Real upon this subject.

*His Majesty's Commissioners.*

(Signed)

GEORGE CANNING.

*First Enclosure (A.) in No. 17.*

*M. de Villa Real to Mr. Secretary Canning.*

MONSIEUR,

*Londres, ce 31 Mars, 1825.*

J'AI l'honneur de remettre à votre Excellence, une Représentation adressée aux Lords de la Trésorerie par Messrs. A. M. Pedra, Fils et Cie., fondés de pouvoirs de Donna Maria Victoria Carolina Cerqueira, par laquelle ils réclament une indemnisation pour les pertes que cette Dame a éprouvées en conséquence de l'injuste détention et condamnation du Brick "*Dez de Fevereiro*."

Comme les dits fondés de pouvoirs appuient leur réclamation sur les stipulations des Traités existans entre les deux Pays, je dois leur prêter tout le soutien qui dépend de moi, et dans ce but je m'adresse à votre Excellence, espérant de la justice et de l'équité du Gouvernement Britannique, qu'après avoir pris en considération les Documens ci-joints, il accorde l'indemnisation en question.

Je profite avec empressement de cette occasion pour renouveler à votre Excellence l'assurance de la haute estime et considération avec laquelle j'ai l'honneur d'être, &c.

*A Son Excellence Monsieur Canning.*

(Signé)

VILLA REAL.

SIR,

(Translation.)

*London, March 31, 1825.*

I HAVE the honour to transmit to your Excellency, a Representation addressed to the Lords of the Treasury by Messrs. A. M. Pedra, Son and Co., Attornies to Donna Maria Victoria Carolina Cerqueira, in which they claim an indemnification for the losses which this Lady has sustained, in consequence of the unjust detention and condemnation of the Brig "*Dez de Fevereiro*."

As the said Attornies found their claim upon the stipulations of the Treaties existing between the Two Countries, I am bound to lend them all the assistance in my power, and to this end I address myself to your Excellency, hoping, from the justice and equity of the British Government, that after having taken into consideration the accompanying Documents, it will grant the indemnification in question.

I avail myself of this opportunity to renew to your Excellency the assurance of the high esteem and consideration with which I have the honour to be, &c.

*His Excellency Mr. Canning.*

(Signed)

VILLA REAL.

*First Enclosure (B.) in No. 17.*

*To the Right Honourable the Lords Commissioners of His Majesty's Honourable Board of Treasury.*

The Memorial of Donna Maria Victoria Carolina Cerqueira, Widow of Joze Cerqueira Lima.

Humbly sheweth,

That your Memorialist is, and at the several times hereinafter mentioned, was a Merchant, a Portuguese Subject residing at Bahia, in Brazil.

H



That your Memorialist, being the lawful Owner of a Brig called "*Dez de Fevereiro*," dispatched the same, loaded with suitable goods and merchandize, from the Port of that City, on the 19th November 1821, to the Coast of Africa, for the sole purpose of trading there in gold, ivory, country cloths, palm oil, and other merchandize, permitted by the English and Portuguese Governments, at the same time, strictly charging her Commanding Officer in his letter of orders, by no means to engage in the prohibited traffick of slaves; the hull, tackle of the said Brig, and the goods and merchandize loaded thereon for account of your Memorialist, and the value of a Negro Sailor, named Floriano, amounting together to the sum of 15,875Rs. 085Cs.

That on or about the 30th March 1822, whilst your Memorialist's Brig was lying in the Port of Appam, on the Gold Coast, for the sole purpose of lawful trading, the Master thereof being on shore at the time very ill, she was boarded and searched by the Officers of His Britannick Majesty's Ship "*Iphigenia*," Sir Robert Mends, Knight, Commander, and captured on the ground of being engaged in the prohibited traffick of slaves, and was afterwards sent into Sierra Leone, where, with her cargo and stores, she was condemned as good and lawful prize by the sentence of the Court of the British and Portuguese Mixed Commission there, as per Document marked A in the Appendix to this Memorial.

Against the sentence of that Court your Memorialist most humbly and most confidently appeals, principally on the grounds following:

First.—That at the time of her detention, there were no slaves intended for the purposes of traffick, actually on board your Memorialist's Brig.

Secondly.—That no slaves were received on board your Memorialist's Brig for the purpose of traffick during her voyage.

Thirdly.—That the goods and merchandize laden on your Memorialist's said Brig, were alone proper for the barter of the produce before-mentioned, and not such as were demanded in exchange for slaves.

Fourthly.—That the outfit and clearances of the said Brig evidently shew, that the traffick in slaves was not contemplated by your Memorialist, as a proof of which she was not furnished with sufficient stores and other things required for that illegal trade.

Fifthly.—That your Memorialist's Brig was condemned as good and lawful prize, on evidence at once interested, unworthy of credit, and capable of receiving contradiction, by the concurrent testimony of the Ship's Company. If your Memorialist establishes these grounds, to your Lordships' satisfaction, it cannot be doubted that your Lordships have the power to indemnify her for the loss she has sustained, by the illegal detention and condemnation of her vessel and cargo, by the 5th and 6th Articles of the Convention between His Britannick Majesty and His Most Faithful Majesty, of 28th July 1817, and the 12th and 13th Articles of the Regulations annexed to the Convention, which are evidently intended for the redress of those who have cause to complain, as your Memorialist most confidently submits she has cause to complain, of injustice, on the part of the Court of Mixed Commission, in its adjudication and sentence of her Vessel. With regard to the first point, if there were no slaves acquired by an illicit traffick, or bought for the express purpose of the traffick, actually on board your Memorialist's Brig at the time of her detention, your Memorialist humbly contends, that by Articles 5 and 6 of the Convention of 28th July 1817, and Article I of the Instructions, her detention and capture was arbitrary and illegal. That there were no slaves actually on board your Memorialist's Brig at the time of her detention and capture, your Memorialist has only to refer your Lordships to the examinations of Illias, the Cooper, marked B, in the Appendix to this Memorial, and Thomas Duncan, marked C, who were examined for the Captors, and neither of them say more than—that the slaves were brought on board and remained a short time: that they were actually on board at the time the Brig was detained, neither of them assert, nor indeed does it appear that they were asked, with a view to this question—if the slaves were actually on board when the Officers of His Majesty's Ship "*Iphigenia*" boarded, detained, and captured her. The other Witnesses who were examined, though they differ in some degree from Illias and Duncan, yet agree in this with them, that not one swears to a single slave, for the purpose of traffick, being on board, when the Brig was detained by the English Frigate. The two slaves that were on board were *bona fide* belonging to the Vessel, and by no means intended for the purpose of traffick, neither was it on that ground the detention and capture took place, because it is well known, that Negro servants or sailors faring on board, in no case authorize detention or capture. Your Memorialist also refers your Lordships to the examination marked D, in the Appendix to this Memorial, of Joao Vieira da Silva, Master of your Memorialist's Brig, but who had no interest in the said Brig or Cargo, who states herein, amongst other things, that he had not taken any Slaves on board. Your Memorialist also refers your Lordships to the Affidavit of claim of the said Joao Vieira da Silva, marked E, in the Appendix to this Memorial, who states therein, amongst other things, that the said Brig was not engaged in any unlawful Slave-trade, that she had no slaves on board at the time of seizure, that after her capture and detention certain Natives of Africa, said to be slaves, were put on board the said Brig, but not by the orders, concurrence, or assent of him, the said Master; that the said Brig was in the prosecution of a lawful voyage of traffick, for the produce of Africa only, and that in the said prosecution, he, the said Master, had delivered a considerable part of the cargo of the said Brig to the said Thomas Duncan, for gold dust, oil of the palm, and ivory, that he, the said Master, verily believed that the said Duncan was the person who delivered the said Natives of Africa to the Seizors of the said Brig, for the purpose of having the said persons put on board the said Brig; that he believes the said Duncan so acted, in order to elude the payment of the debt he had contracted with the said Master to a large amount, and that the said Slaves, or Natives of Africa, did not belong to the said Brig.

Your Memorialist confidently submits, that at the time of her detention, there were no slaves, intended for the purpose of traffick, actually on board the Brig, within Articles 5 and 6 of the



Convention of the 28th of July 1817, and Article I of the Instructions, and, that the detention and capture of the Brig was, therefore, clearly illegal.

As to the second point—that no slaves were received on board the said Brig for the purpose of traffick during her Voyage; your Memorialist refers your Lordships to the examinations of Joao Joze de Lima, taken in the said Court of British and Portuguese Mixed Commission, marked respectively F and G, in the Appendix to this Memorial, who states positively, amongst other things, that no slaves whatever were taken on board during the voyage, that there were no slaves brought on board the Brig for sale, and that not one slave was brought on board the Brig.

On this point your Memorialist also refers your Lordships to the part above stated of the said examination of the Master of your Memorialist's Brig.

On the first and second point also, your Memorialist refers your Lordships to the Petition of your Memorialist, and the Documents, Proceedings, and Examinations exhibited and taken before the Board of Inspection in the City of Bahia, and fully stated in the Appendix to this Memorial.

Your Memorialist humbly submits, that the examinations of the several Witnesses examined and interrogated on oath on behalf of your Memorialist, by the Judge of the Criminal Court, Intendant General of the Gold, and President of the said Board of Inspection of Bahia, stated in the Appendix, establish beyond a doubt, that no slave or slaves was or were on board your Memorialist's Brig, for the purpose of traffick at the time of her seizure, or was or were taken on board for such purpose during her voyage.

As to the third point, your Memorialist begs to state, that Illias, the Cooper, being himself a Negro slave employed on board your Memorialist's Brig, with a view of being manumitted, he was clearly an interested Witness, and as such ought not to have been admitted in evidence, or credited. Thomas Duncan had received part of the cargo from on board your Memorialist's Brig, for which he was to have paid in gold dust, oil of the palm, and ivory, as before stated, but which he had not paid for, at the time of the capture of your Memorialist's Brig.

Your Memorialist humbly submits, that the said Thomas Duncan was an interested Witness, as by the condemnation of your Memorialist's Brig, he kept possession of the part of the cargo he had received without paying for it.

The two Witnesses, Illias and Duncan, could have been contradicted by the concurrent testimony of the Ship's Company, as appears by the proceedings before the Board of Inspection above mentioned, and they would have been so contradicted before the said Court of British and Portuguese Mixed Commission, but the Master of your Memorialist's Brig, being on shore dangerously ill at the time of the capture of your Memorialist's Brig; after the capture thereof, was arrested and conveyed on board the said English Frigate, from whence he was removed to a French Brigantine, which had been also captured by the English Frigate, in order to be taken, as he actually was taken, to Sierra Leone. On his arrival there, being still in bad health, he was scarcely able to testify that the Brig was condemned and adjudged as good and lawful prize, because the Judges who pronounced the sentence refused him all redress, and did not allow him to make his defence, or to have a copy of his Papers, all which had been taken possession of by the Captors; and he was so infirm, that he was obliged to be taken in a car to the Court, the only time he was summoned to attend; and from his bad state of health and want of means, he could not use all possible efforts in defence of your Memorialist's right and interest, he could do no more before the Court, which adjudged the said Brig and her cargo as good and lawful prize, than impugn, as suspicious, the evidence given on the part of the Captors. At the City of Pernambuco, which was the first Port the said Master put into, after sailing from Sierra Leone, he petitioned the Judge Auditor and President of the Board of Inspection to allow him to make his protest, narrating therein and proving with Witnesses the facts above stated, which protest was written and adjudged by sentence as per Document, No. 5, in the Appendix to this Memorial.

Your Memorialist also, as soon as she received accounts of the capture of her Brig, which was in the month of May 1822, did not neglect immediately to protest for her right and interest, petitioning and proving with Witnesses before the Judge Auditor of the Customs, who then acted as a President of the said Board of Inspection, narrating at the same time the facts before mentioned, the protest whereof was likewise written and adjudged by Sentence, in the manner set forth in Document No. 6.

Your Memorialist also begs to state, that your said Memorialist had computed or estimated all her losses, in the event of her Brig being captured by any evil-disposed Cruizer, at 12,000*l.* sterling, by a just arbitration of the same, as is expressly stated in her Letters of Orders, Document No. 2, in the Appendix to this Memorial, all which losses are more particularly detailed in the proceedings before the Board of Inspection, stated in the Appendix to this Memorial.

In the aforesaid estimate of loss, is not included or comprehended that suffered by the Shippers, described in the map of the cargo at the end of the Document 2, above referred to, which losses, together with all the profits, interest accruing, and damages thence arising, by whatever cause are likewise due, and for which your said Memorialist did in like manner protest before the said Board of Inspection, as Attorney of the said Witnesses.

On the said several grounds aforesaid, therefore, your Memorialist on behalf of herself, and of the said Shippers, most humbly, yet most confidently, solicits and expects from your Lordships, an indemnification for all the said losses and damages arising therefrom, and profits accruing, all which she requests and claims, agreeably to the before-mentioned Treaty, Additional Convention, Instructions, and Regulations, for the Mixed Commissions.

And your Memorialist will ever pray.



## Second Enclosure in No. 17.

*Mr. Secretary Canning to M. de Villa Real.*

SIR,

Foreign Office, April 28, 1825.

I SUBMITTED, for the opinion of His Majesty's Law Officers, the Letter which you did me the honour to write to me on the 31st ultimo, in support of a Claim of Donna Victoria Carolina Cerqueira, brought forward in the shape of an appeal against the sentence of the Mixed British and Portuguese Court of Commission at Sierra Leone, in the Case of the "*Dez de FEVEREIRO*," condemned on the 22d of June 1822, for illegal Slave-trade.

I have now the honour to observe to you, that upon a reference to the Convention (quoted in your communication) under which the Commission has been acting, it is declared in Article 1 of the Regulations "That the Commission shall judge without appeal," and, that this declaration is only qualified by the Article 14 of the Regulations, in the case of an imperfect Court of Mixed Commission at Sierra Leone, when an appeal is allowed, under certain conditions there cited, to the Commission resident in the Brazils.

His Majesty's Government cannot, therefore, comply with the prayer of the petition for the rehearing of this case. But it may be satisfactory to you to know, that on a strict review, by His Majesty's Law Officers of the sentence given in the Case of the "*Dez de FEVEREIRO*" they have reported it as their decided opinion, that the circumstances appear to have been examined with great impartiality by the Commissioners, and with great attention to all the evidence that could be procured at Sierra Leone, where the Vessel was then lying.

I am, &amp;c.

*M. de Villa Real,*  
&c. &c. &c.

(Signed)

GEORGE CANNING.

## No. 18.

*D. M. Hamilton. Esq. to Mr. Secretary Canning.—(Received May 14.)*

SIR,

Sierra Leone, February 23, 1825.

I HAVE the honour to inform you, that His Majesty's Sloop "*Victor*," George Woolcombe, Esq. Commander, sent into this Port last October for adjudication, two Brigantines, taken under Brazilian Colours, called the "*Dianna*," and the "*Dos Amigos Brazillieros*." The former was captured on the 11th of August 1824, with 143 slaves on board, in Latitude 2° 15' North, and Longitude 5° 13' East, and the latter on the 18th of September, 1824, in Latitude 1° 40' North, and Longitude 6° 8' East, with 260 slaves on board.

On the 15th of November last, the Court proceeded to the condemnation of these Vessels; and, as not the slightest doubt was entertained of the illegality of the traffick in which they were engaged, they were accordingly condemned, and their respective slaves emancipated.

I have the honour to enclose herewith, Reports of these two Cases, as well as that of the "*Avizo*" sent into this River last November by His Majesty's Ship "*Maidstone*," Commodore Charles Bullen, having on board 465 slaves, taken in at the same place (Badagry) as those of the "*Dianna*" and "*Dos Amigos Brazillieros*," captured on the 26th of September last, in Latitude 1° 33' North, and Longitude 7° 7' East.

The grounds for condemnation in this Case were so precisely similar to the two former Cases, that the Court unhesitatingly passed a Decree of condemnation against her on the 19th of the same month, and ordered her slaves to be emancipated.

I have the honour to be, &amp;c.

*The Right Hon. George Canning,* (Signed) D. M. HAMILTON.  
&c. &c. &c.

## First Enclosure in No. 18.

*Report of the Case of the Brazilian Brigantine "Dianna", Manoel dos Santos de Costa, Master.*

THE "*Dianna*" was brought to Sierra Leone on the 9th of October 1824. On the next day Mr. Shower, the Medical Officer attached to the Mixed Commissions, reported that he found on board of her 116 Slaves, who generally appeared to be in a healthy state, although most of them had



been, and some then were, under the influence of the small-pox. The Vessel was put under quarantine by the Colonial Government. On or about the 15th of October, the Vessel was removed, by order of the Government, from before Free Town to Foura Bay, about two miles further up the River; the women and girls were there landed and lodged in a house well adapted for them, where they remained until this dreadful malady ceased to exist among them. The men remained on board the "Dianna," until about the 29th of October, when they were landed, and the same precaution taken as with the women and girls.

Owing to the indisposition of the Proctor for the Captors, the Papers of the Vessel were not delivered into the Registry of the Court until the 29th of October, on which day they were received by the Registrar, and a monition prayed and granted, calling upon all persons interested in the Vessel and Slaves to appear and claim.

The Monition was issued in the Case on the 1st of November.

The Declaration of the Captor, Captain Woolcombe, of His Majesty's Ship "Victor," stated that he detained her sailing under Brazilian Colours, on the 11th of August 1824, in 2° 15' North Latitude, and 5° 13' East Longitude, with 143 Slaves on board, (56 men, 29 women, 32 boys, and 26 girls); that the Master declared her to be bound from Benin to Rio de Janeiro; that the Slaves on board were in a filthy and wretched condition; that the small pox had broken out among them; that several had died before the Captors took possession of the Vessel, and one a few minutes after her capture; that the Slaves had not had any food for the whole of the day previous to capture, perhaps owing to the chase given to the Vessel by her Captors, from the hour of seven in the morning until sun-set; that at the time of capture the Supercargo and the crew, with the exception of the Master, who was ill of fever, were in a state of intoxication.

From the Papers of the "Dianna," it appeared that she was fitted out at Bahia for a Slave-trading voyage to Molembo, by Joaquim Carvalho da Fonseca, her ostensible Owner. She was provided with an Imperial Passport, numbered 19, and dated at Bahia, the 12th of March 1824, which authorized the Vessel to carry 300 Slaves, being the number proportioned to her alleged burthen of 120 tons. The "Dianna" was allowed by her Passport to proceed from Molembo to Rio de Janeiro, by the way of Bahia. Her crew consisted of 15 persons, including the Master, and for her outward cargo she had on board tobacco, aquadente, cloths, gunpowder, and hats; she sailed from Bahia under the Brazilian Flag, on the 14th of March 1824.

The Log-book stated her outward voyage to have been from Bahia to Molembo, and her homeward voyage, in which she was intercepted, from Molembo to Bahia. The attempt to deceive was not carried further, for the Log-book shews the course of the "Dianna" to have been constantly directed, after the first day of her leaving Bahia, in a North-Easterly direction. The Molembo, where the "Dianna" terminated her outward voyage, is stated in the Log-book to be in Latitude 4° 30' North, and Longitude 2° 30' West, which is near the Rio Formosa, in the Bight of Benin; the real Molembo being in Latitude about 5° 0' South, and in Longitude 13° 30' East. The Log-book makes the homeward voyage commence in Latitude 4° 5' North, and in Longitude 5° 7' East.

The Master of the "Dianna" was not brought to Sierra Leone, in consequence of extreme ill health, as stated in certificate of the Surgeon of the Victor, dated at Sea, the 11th of August 1824.

On the 4th of November the Mate, Barber, and Cook, were examined upon the general interrogatories.

The Mate, José Lorenzo Sousa, deposed, that the "Dianna" anchored at Rio Formosa, which is in the Bight of Benin, and to the North of the Equator, to trade for slaves, and that there were taken on board in that River, 155 slaves, some of whom died previously to the capture of the Vessel, and some since.

The Barber, Antonio Francisco, and the Cook, Vicenté Luiz, deposed that the "Dianna" anchored at Benin, to trade for Slaves; the former Witness stated that 156 Slaves were taken on board during the voyage; that 6 of the slaves died previously to capture, and 30 since capture; the last Witness did not know how many slaves were taken on board during the voyage, but states the whole were taken on board at Benin.

The Monition in this Case was returned into the Registry on the 8th of November.

On the 15th of November, the Commissioners decided upon the Case: they decreed, the evidence fully proving the illegality of the traffick in which she had been engaged, that the "Dianna" should be condemned as prize to the Crowns of Great Britain and Portugal, and that her slaves should be emancipated.

(Signed)

D. M. HAMILTON.

#### Second Enclosure in No. 18.

#### Case of the Brazilian Brigantine "Dos Amigos Brazillieros," Antonio Alvarez da Silva, Master.

THIS Vessel sailed from Bahia on the 6th of March last, for the Coast of Africa, under the Brazilian Flag, fully equipped for a Slave-trading voyage, and arrived at Badagry, in Latitude about 6° 20' North, and Longitude 4° 20' East, where a cargo of Slaves was purchased, and taken on board, after which she sailed on her return voyage to Bahia, and was captured on the 18th of September last, with 260 slaves on board, viz. 191 men, 42 women, 21 boys, and 6 girls, by His Majesty's Sloop "Victor," George Woolcombe, Esq. Commander, near Princes Island, in Latitude 1° 40' North, and Longitude 6° 8' East; her outward cargo consisted of 1500 rolls of tobacco, and 25 pipes of aquadente.

It is stated in the Royal Passport, numbered 17, dated at Bahia, the 4th of March 1824, that she is 146 tons burthen, and carries 32 men, that Antonio Marques de Carvalho and Co. are her Owners, that she is bound to the Port of Molembo, from whence she is to return to whatever



Port she pleases of the Empire, and authorises any number of slaves, not exceeding 361, to be on board at one time.

On the 29th of October last, this Vessel arrived in this Port, and on the day following her Papers were brought into the Registry. On the 1st of November, a Monition was issued, calling upon all persons interested in the Vessel and Slaves to make claim, which was returned on the 8th day of the same month, as duly served. Two of the Crew, Florenza Jose, the Barber, and Francisco Antonio, the Cook, were produced, sworn, and examined, on the General Interrogatories: both these Witnesses deposed, that the whole of the slaves had been taken on board at Badagry, and that the Vessel was seized near Princes Island. The Declaration on oath of Mr. Young, Admiralty-mate of the seizing Ship, deposed to the capture having been made in Latitude  $1^{\circ} 40'$  North, and Longitude  $6^{\circ} 8'$  East, and no Claimant having appeared, and it having been proved that the Master was left at St. Thomas at his own request, on account of ill health, it was therefore considered by the Court that just grounds existed for the condemnation of the Vessel, and for the emancipation of the slaves, which was accordingly pronounced on the 15th day of November last.

(Signed)

D. M. HAMILTON.

*Third Enclosure in No. 18.*

*Report of the Case of the Brazilian Brig "Avizo," Luiz Pacheco da Silva, Master.*

THIS vessel arrived in the Harbour of Sierra Leone, on the evening of the 8th day of November 1824, with 431 slaves on board, many of them in a most wretched state of suffering from diarrhoea and dysentery; they consisted of 254 men, 110 women, 36 boys, and 31 girls. On the following day the Ship's Papers were brought into Court duly authenticated, with the declaration of Commodore Bullen, of His Majesty's Ship "Maidstone", the Captor, and proceedings were commenced in this Case. A Monition was issued, citing all persons having, or pretending, any interest in the "Avizo", and slaves, to appear and make claim, which was afterwards returned, certified, as duly served.

It appeared by the Royal Passport, dated at Bahia, the 9th of March 1824, and numbered 18, that the "Avizo" was of the burthen of  $231\frac{1}{4}$  tons, and was authorized to carry any number of slaves not exceeding 578, that Adriano da Costa Carvalho was the Owner, and that she was bound to the Port of Molembo, from whence she was to return to Rio Janeiro, with intention to call at Bahia.

In Commodore Bullen's Declaration it was stated, that he seized the "Avizo", in about Latitude  $1^{\circ} 33'$  North, and Longitude  $7^{\circ} 7'$  East, that she was armed with 1 four-pounder gun, with a crew of 33 men and boys, and having on board 465 slaves, consisting of 284 men, 110 women, 40 boys, and 31 girls.

The Master, Louis Pacheco da Silva, deposed, that 467 slaves were taken on board the "Avizo" during the voyage, all which were shipped at Badagry, and one of the Mariners deposed, that the slaves were bought at Badagry, and that the capture was made near Princes Island. The Case of illicit Slave-traffic being thus clearly proved, Badagry being in Latitude about  $6^{\circ} 20'$  North, and no claim having been made, the Court passed sentence of condemnation on the Vessel, and decreed the emancipation of the slaves on the 19th of November 1824.

(Signed)

D. M. HAMILTON.

No. 19.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received May 14.)*

SIR,

Sierra Leone, February 24, 1825.

WE have the honour to state, that, on the 10th day of December last, the Brazilian Brig "*Bella Eliza*," Placedo Jose de Maria, Master, arrived in this Port, to which place she had been sent for adjudication by Captain Courtnay, the Commander of His Majesty's Ship "Bann," for being engaged in the illicit traffick in slaves. She was seized in Latitude  $2^{\circ} 21'$  North, and Longitude  $5^{\circ} 42'$  East, on the 23d day of October last, having on board at that time 371 slaves, (being three more than allowed by her Royal Passport). These slaves were taken on board in the River Lagos, in Latitude  $6^{\circ} 10'$  North, in the middle of October last, between which time and that of her arrival at this place twelve of them died. We beg to enclose herewith the Report of this Case.

We have the honour to be, &amp;c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

D. M. HAMILTON.  
J. REFFELL.



*Enclosure in No. 19.**Report of the Case of the Brazilian Brig "Bella Eliza," Placedo José de Maria, Master.*

THIS Vessel arrived in this Port on the 10th of December 1824, with 359 slaves on board, consisting of 176 men, 72 women, 58 boys, and 53 girls. On the 14th day of December following, the Papers, duly authenticated, with the Declaration of Captain Courtney, of His Majesty's Ship "Bann," the captor, were brought into the Court, and proceedings commenced in this Case.—On the day following, a Monition was issued, calling on all persons having any right, or pretended right, in the Vessel and slaves, to appear and claim, which was afterwards returned, tified as duly served.

It is stated in the Royal Passport, dated at Bahia, on the 21st of June 1824, that this Vessel is 147½ tons, and carries 24 men; that Antonio José de Mercellas is the Owner; that she is bound to the Port of Molembo, and back to Bahia; and that any number of slaves, not exceeding 368, are permitted at one time to be on board of her.

Captain Courtney's Declaration states, that he seized the "Bella Eliza" on the 23d day of October last, in Latitude 2° 21' North, and Longitude 5° 42' East; that she was sailing under Portuguese Brazilian Colours, with a crew of 23 men and 1 boy, and having on board 371 slaves, being 3 more than allowed by the Passport; that these slaves consisted of 180 men, 72 women, 58 boys, and 53 girls.

Placedo José de Maria, the Master, deposed that he took on board the whole of the present cargo of slaves at Northern Molembo, they amounted to 371, that they were all taken on board in six hours: this Witness, on being desired to point out Northern Molembo on the Chart, pointed out the Western Bank of the River Lagos, in Latitude 6° 10' North, saying, at the same time, "that is Northern Molembo, where we took the slaves on board."

Antonio Joaquim da Costa, the Boatswin, also deposed, that the number of slaves taken on board was 371, and that they were all taken on board from the shore at Onim in the River Lagos.

The Case on the part of the Captors having been thus clearly proved, and no claim having been made, the Court passed sentence of condemnation on the Vessel, and decreed the emancipation of the slaves, on the 31st of January 1825.

(Signed) D. M. HAMILTON.  
J. REFFELL.

## No. 20.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received June 14.)*

SIR,

Sierra Leone, March 31, 1825.

WE have the honour to acknowledge the receipt of your Despatch, marked Portugal, dated the 30th of November last, enclosing the copies of Despatches from Mr. Chamberlain, at Rio de Janeiro, dated August 27 and September 18, last, with the copy of the Correspondence between that Gentleman and the Brazilian Government, relating to the measurement of the tonnage of Vessels belonging to the Brazils, fitted out for the Slave-trade.

We have the honour to be, &c.

(Signed)

D. M. HAMILTON.  
J. REFFELL.

The Right Hon. George Canning,  
&c. &c. &c.

## No. 21.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received June 24.)*

SIR,

Sierra Leone, April 12, 1825.

WE have the honour to enclose, for your information, the Report of the Case of the Brazilian Schooner "Bom Fim," whereof Joachim José de Brito Lima was Master, captured on the 14th day of January last, by His Majesty's



Gun-brig "Swinger," Lieutenant Clerkson, Commander, and sent in here for adjudication, where she arrived on the 8th ultimo, with 148 slaves on board, which were emancipated on the 19th of the same month, and delivered over to the Colonial Government to be employed as Servants or Free Labourers.

We have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) D. M. HAMILTON.  
&c. &c. &c. J. REFFELL.

*Enclosure in No. 21.*

*Case of the Brazilian Schooner "Bom Fim," Joaquim José de Brito Lima, Master.*

THIS Vessel was captured on the 14th day of January last, in Latitude  $2^{\circ} 20'$  North, and Longitude  $5^{\circ} 31'$  East, by His Majesty's Gun-brig "Swinger," commanded by Lieutenant Clerkson, with 149 slaves on board, all in good health; of these slaves, 41 were men, 44 were women, 43 were boys, and 21 were girls: she arrived at Sierra Leone on the 8th day of March following, with 148 of the slaves in perfect health, having lost one of them, a man, who either fell or jumped overboard, and was drowned.

On the 12th of March the Ship's Papers, duly authenticated, were brought into Court, and a Monition prayed and issued, calling on all persons having any right, title, or interest in the "Bom Fim," and slaves, to appear and make claim, which was afterwards returned certified as duly served.

It appeared by the Royal Passport, dated at Bahia, the 23d day of August 1824, and numbered 30, that the "Bom Fim" was a Brazilian Vessel of the burthen of 64 tons, carrying 17 men, and was authorized to take on board any number of slaves not exceeding 160; that Manoel José Freire de Carvalho, a Subject of the Brazilian Empire, was the Owner; that she was bound to the Port of Molenbo, from whence she was to return to Bahia.

Her outward cargo, as appeared from her Papers, consisted of 850 rolls of tobacco, 2 pipes of aquadente, 2 cases of coarse cambrics, 2 cases cloths, &c, and 18 jars of sweet meats; besides which there were some small adventures, consigned by various individuals to the charge of the Master of the "Bom Fim," and amongst those consignees were 4 ladies, who particularly expressed that the returns should be made in slaves, and who also as particularly pointed out the qualities they wished their respective negroes to possess.

The Master of the "Bom Fim" in his deposition in this Case, among other things, states, the Vessel to have been a Brazilian Vessel, which was captured on the 14th of January last, in Latitude  $2^{\circ} 21'$  North, and Longitude  $5^{\circ} 31'$  East, for having slaves on board, the whole of which slaves, 149 in number, were shipped at Onim, in  $6^{\circ} 16'$  North Latitude, and  $3^{\circ} 10'$  East Longitude.

The Barber, or Surgeon, in his deposition corroborates the Master in the slaves having been shipped to the North of the Equator. The case of illicit traffick being unquestionably proved, and no claim having been made, the Court passed sentence of condemnation on the Vessel, and decreed the emancipation of the slaves on the 19th of March 1825.

(Signed) D. M. HAMILTON.  
J. REFFELL.

No. 22.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received September 17.)*

(Extract.)

*Sierra Leone, June 18, 1825.*

WE have the honour to acknowledge the receipt of your Despatch of the 28th of April 1825, enclosing, for our information, a copy of a Correspondence with M. de Villa Real on the Case of the "*Dez de Fevereiro*."

*The Right Hon. George Canning,* (Signed) CHAS. TURNER.  
&c. &c. &c. GEO. RENDALL.



## No. 23.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received September 17.)*

SIR,

Sierra Leone, June 19, 1825.

WE have the honour to communicate, for your information, the arrival, on the 25th ultimo, of His Most Faithful Majesty's Commissary Judge, I. J. Altavilla, Esq. The leave of absence granted to that Gentleman by his Government having expired, he has resumed the exercise of his official functions as Commissary Judge in the British and Portuguese Court of Mixed Commission.

We have the honour to be, &amp;c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

CHAS. TURNER.  
GEO. RENDALL.

## No. 24.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, December 5, 1825.

BY the accompanying copy of a Note, which I have this day received from the Marquess de Palmella, His Most Faithful Majesty's Ambassador at this Court, you will perceive it is announced that His Most Faithful Majesty has judged proper to remove Mr. Altavilla from the Office of Commissary Judge in the Mixed Court of Commission established on the Coast of Africa.

You will, in consequence, no longer consider M. Altavilla as invested with the Situation above mentioned; and you will take proper steps that the service with which the Commission is entrusted may not suffer from this measure of the Portuguese Government, or from the vacancy thereby produced in the Commission.

You will deliver into the hands of M. Altavilla the Letter addressed to him from M. de Palmella, and which accompanies this Despatch. You will make known the suspension and recall of M. Altavilla; and you will take care that no sums of money remaining at Sierra Leone, due to the Crown of Portugal on account of prizes taken under the Convention of 1817, shall be paid to M. Altavilla; but that the regular course shall be pursued for their being placed in due deposit, until you shall receive further orders.

I am, &amp;c.

*His Majesty's Commissioners.*

(Signed)

GEORGE CANNING.

*Enclosure in No. 24.*

*The Marquis de Palmella to Mr. Secretary Canning.—(Received Nov. 30.)*

(Extract.)

A Londres, le 26 Novembre 1825.

LE Soussigné Ambassadeur Extraordinaire et Plenipotentiaire de Sa Majesté Très Fidèle a l'honneur d'informer Son Excellence Monsr. Canning, Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères, que le Roi son Maître a jugé à propos de démettre Monsr. I. I. Altavilla de l'emploi de Commissaire Juge dans la Commission Mixte établie sur les Côtes d'Afrique.

La Convention du 28 Juillet 1817, ayant pourvu au cas de mort ou d'absence des deux Commissaires Portugais, la place que Monsr. Altavilla laissera vacante, pourra être suppléée conformément aux stipulations de la susdite Convention.

Le Soussigné prie Son Excellence Monsr. Canning de vouloir bien faire parvenir avec sûreté entre les mains de Monsr. Altavilla, la lettre ci-jointe, et d'annoncer aux Membres Anglais de la Commission de Sierra Leone la suspension et le rappel de Monsr. Altavilla.

*Son Excellence Monsr. Canning,*  
&c. &c. &c.

(Signed)

LE MARQUIS DE PALMELLA.

(Extract.)

(Translation.)

London, November 26, 1825.

THE Undersigned, His Most Faithful Majesty's Ambassador Extraordinary and Plenipotentiary, has the honour to inform His Excellency Mr. Canning, His Britannick Majesty's Principal Secretary of State for Foreign Affairs, that The King, his Master, has judged proper to divest Mr. I. I.

K



Altavilla of the Office of Commissary Judge in the Mixed Commission established on the Coast of Africa.

The Convention of the 28th of July 1817, having provided for the case of death, or absence of the two Portuguese Commissioners, the vacancy occasioned by Mr. Altavilla's removal, will be filled up conformably to the stipulations of the above mentioned Convention.

The Undersigned requests that His Excellency Mr. Canning will forward to Mr. Altavilla the accompanying Letter, and communicate to the English Members of the Commission at Sierra Leone, the suspension and recall of Mr. Altavilla.

His Excellency Mr. Canning,  
&c. &c. &c.

(Signed) LE MARQUIS DE PALMELLA.

No. 25.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 12, 1826.*

I HEREWITH transmit to you, for your information and guidance, the Copies of a Correspondence which has recently passed upon the subject of a practice which has prevailed on the part of the Authorities in Brazil, of inserting, in their passport to Slave Vessels, a permission to touch at other Ports and Places than those which by Treaty they are allowed to enter in their voyages to trade in slaves.

I am, &c.

*His Majesty's Commissioners.*

(Signed) GEORGE CANNING.

*Enclosure in No. 25.*

*Joseph Planta, Jun. Esq. to J. W. Croker, Esq.*

SIR,

*Foreign Office, January 12, 1826.*

IT will be seen by the Despatches marked 48 and 54 of Class B., in the Papers on the Slave-trade, submitted to Parliament in the year 1825, that a practice has prevailed in Brazil of inserting in the Passports given to Slave-vessels, a permission that those Vessels may touch at Princes Island and St. Thomas, on their voyage to the spots where they are yet by Treaty allowed to trade in slaves.

His Majesty's Government having learnt that a Slave-trade in Places not permitted by Treaty, has prevailed with impunity, in consequence of the facilities given by this permission, instructed Mr. Chamberlain to remonstrate against the practice.

The Brazilian Government referred Mr. Chamberlain to the stipulations of the Treaties between this Country and Portugal, as the proper basis whereby a check is to be given to Slave-trade illegally carried on by Brazilian Vessels.

Mr. Chamberlain, in a Despatch, of which I send you herewith a Copy, has, therefore, called the attention of the Brazilian Government to the 2d Article of the Convention of 1817, and to the terms of the Licence authorized by that Convention, and has formally called on the Brazilian Government to forbid the issue of Licences to Slave-vessels, to touch at any other Ports or Places than those which, according to the existing Treaties, they are yet allowed to enter; namely, the Ports and Places claimed by the Crown of Portugal as her Territory on the Coast of Africa, to the South of the Equator.

I am directed by Mr. Secretary Canning to desire that you will be pleased to lay these Papers before the Lords Commissioners of the Admiralty, and move their Lordships to give directions for pointing out, to the attention, and for the guidance of His Majesty's Naval Officers, the stipulations here quoted in the Conventions above mentioned, so that, upon the meeting with any Vessels irregularly licenced, such Vessels may be dealt with according to Treaty, upon that particular point.

I am, &c.

*The Secretary to the Admiralty.*

(Signed) J. PLANTA, Jun.

For the other Enclosures in No. 25, see Class B.

No. 26.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, January 13, 1826.*

I HEREWITH send to you, for your information, the Copies of Correspondence which has passed between this Department and His Majesty's Consul at Bahia\*, upon the subject of Charters which have been offered to English Vessels to proceed from that Port to Places in Africa, North of the Line, laden with articles usually shipped for the purpose of purchasing slaves.

I am, &c.

*His Majesty's Commissioners.*

(Signed) GEORGE CANNING.

\* See Class B.



## SIERRA LEONE. *(Netherlands.)*

No. 27.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received June 14.)*

SIR,

*Sierra Leone, March 31, 1825.*

WE have the honour to acknowledge the receipt of your Despatch of the 24th of January last, marked Netherlands, announcing the appointment of Mr. E. P. G. Bonnouvrie, late the Arbitrator of His Majesty The King of the Netherlands, in the Mixed Court of Justice, to the Office of Netherlands Judge in that Court, in the room of Mr. J. A. de Marrée, deceased.

We have the honour to be, &c.

*The Right Hon. George Canning,*  
           &c.    &c.    &c.

(Signed)

D. M. HAMILTON.  
 J. REFFELL.

No. 28.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received September 17.)*

SIR,

*Sierra Leone, June 18, 1825.*

WE are honoured with your Despatch of the 4th of April 1825, enclosing, for our information, the Copy of a Despatch from His Majesty's Commissary Judge at Surinam, containing observations on the state of the Netherlands Laws, as affecting the Captors of Vessels trading illegally in slaves; also the Copy of a Despatch from His Majesty's Acting Minister Plenipotentiary at the Court of the Netherlands, and of its Enclosure, in which the purport of a Decree issued by The King of the Netherlands on the 14th of March last, is recorded.

We are, with the greatest respect, &c.

*The Right Hon. George Canning,*  
           &c.    &c.    &c.

(Signed)

CHAS. TURNER.  
 GEO. RENDALL.

No. 29.

*His Majesty's Commissioners to Joseph Planta, Jun. Esq.—(Received September 17.)*

SIR,

*Sierra Leone, June 18, 1825.*

WE had the honour to receive your Despatch of the 23d of April 1825, forwarding, for our information, the Copy of the Law of the Netherlands on Slave-trade, of the 20th of November 1818; also of the Decrees of The King of the Netherlands of the 23d of December 1824, and the 10th of March 1825.

We have the honour to be, &c.

*Joseph Planta, Junior, Esq.*  
           &c.    &c.    &c.

(Signed)

CHAS. TURNER.  
 GEO. RENDALL.



## H A V A N N A H.

No. 30.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

SIR,

*Havannah, February 19, 1825.*

I HAVE the honour to acknowledge the receipt this day of your Despatch of the 20th of November of last year, in which you have been pleased to transmit, for the information and guidance of His Majesty's Commissioners here, a Copy of the Act of Parliament passed last Session, for amending and consolidating the Laws relating to the Abolition of the Slave-trade; and likewise Copies of a Correspondence with the Treasury upon the subject of the 75th Clause of that Act.

I am, &amp;c.

*The Right Hon. George Canning,*  
 &c.      &c.      &c.

(Signed) H. T. KILBEE.

No. 31.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

SIR,

*Havannah, February 25, 1825.*

I HAVE the honour to enclose Translations of a Correspondence which has passed between the Captain-General and the Mixed Commission, upon the subject of a Royal Order received by the former, respecting the Case of the Portuguese Brig "*Maria de la Gloria*."

You will perceive that the Spanish Government in this Royal Order, does not enter into the merits of the case, but merely directs that the Court of Admiralty shall proceed to the decision thereof, without expressing any opinion upon the former proceedings.

I have the honour to be, &amp;c.

*The Right Hon. George Canning,*  
 &c.      &c.      &c.

(Signed) H. T. KILBEE.

*First Enclosure in No. 31.**The Captain-General to the Mixed Commission.*

GENTLEMEN,

*Havannah, February 23, 1825.*

UNDER date the 7th of November last, his Excellency the Minister of State writes to me as follows:—

"Most Excellent Sir, The proceedings in the Case of the prize with a cargo of Negroes made by the Brig "*Romano*," having been laid before our Lord The King, His Majesty has been pleased to resolve that, the Mixed Commission at the Havannah having relinquished the cognizance of this Cause, it shall be proceeded in and decided conformably to the Laws by the Court of Admiralty, that the Case shall be sent back to the Mixed Commission, if it should appear that the prize is Spanish or English property, in fulfilment of the Treaty between the two Powers;—and that His Majesty shall be consulted respecting the sentence, if it should be Portuguese property, or that of any other Foreign Nation, in which case the value of whatever may have been, or may be sold, belonging to the captured Vessel and its cargo, shall be placed in deposit until His Majesty's pleasure shall be made known. By Royal command, I communicate the above to your Excellency for your information and guidance, in reply to your Despatch of the 31st of August, and I transmit the same to you, for the punctual and exact fulfilment thereof, as far as you are concerned. God preserve you many years."

(Signed) FRANC<sup>o</sup>. DIONS. VIVES.*The Members of the Mixed Commission.*



*Second Enclosure in No. 31.**The Mixed Commission to the Captain-General.*

MOST EXCELLENT SIR,

Havannah, February 24, 1825.

THIS Mixed Commission has received the Royal Order of the 7th of November last, relative to the Case of the prize with a cargo of Negroes, made by the Brig "*Romano*," which your Excellency has been pleased to transmit in your Official Letter of the 23d instant, and which has been ordered to be annexed to the other proceedings, in order that His Catholick Majesty's resolution upon the Case may therein appear. God preserve your Excellency many years.

(Signed)

H. T. KILBEE.

ANDRES DE JAUREGUI.

His Excellency the Captain-General.

RAFAEL DE QUESADA.

## No. 32.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

SIR,

Havannah, February 25, 1825.

THREE Spanish Schooners, viz. the "*Iris*," "*Joaquina*," and "*Ninfa*," Don Geronimo Rodriguez, Don Domingo Arcue, and Don Juan Mandial, Masters, sailed this day for the Coast of Africa.

On the 23d instant the Schooner "*Ninfa Havanera*," which sailed for that Coast in April last, arrived here in ballast, having previously landed 400 Negroes near Cabañas. The Schooner "*Chirigota*," which likewise sailed for the same destination in August, landed in the same neighbourhood 93 Negroes some days ago, but, on her way round to this Port, was captured and burnt by a Columbian Cruizer. Thus, within less than two months, nine Slave-vessels have landed 2642 Negroes at Cabañas, or its immediate neighbourhood, and have all, with the exception of the "*Chirigota*," subsequently entered this Port.

It has unfortunately happened, that, during this period of extensive illicit Slave-trade, without example even here, we have been only four days without some of His Majesty's Vessels of War in this Harbour, having had so many as eight at a time, and no less than twelve having been here since the commencement of the present year. Some of these were expressly destined for the suppression of the traffick by Sir Lawrence Halsted, who, in several private Letters to me, has manifested the greatest anxiety upon the subject, and has done every thing in his power for the attainment of that object.

The success of the illicit Slave-traders has completely relieved them from all apprehension; and I believe that, at the present moment, the only check to their speculations is the apprehension that the supply already expected is much greater than can be disposed of with profit.

It is not from being in possession of better sources of information than formerly, that I am enabled to state the number of Negroes landed, and the place of their disembarkation, but merely because transactions of this nature are now publick and notorious, no mystery being found necessary.

I have the honour, &amp;c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

## No. 33.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

SIR,

Havannah, March 10, 1825.

ON the 8th instant arrived here the Spanish Schooner "*Iris*," in ballast, from St. Thomas', on the Coast of Africa, for which destination she sailed in the month of August last. It is well known that she landed, previous to her entrance into this Port, 317 Negroes near Matanzas.

I have the honour to be, &amp;c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

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## No. 34.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

(Extract.)

*Havannah, March 12, 1825.*

I HAVE received from the Captain-General a Letter, of which a Translation is enclosed, informing me of the result of the Investigation instituted respecting the Case of the "*Magico*," by which it appears that that Vessel had not landed Negroes in the Port of Cabañas, where she entered merely for the purpose of escaping from what she conceived to be Insurgent Privateers. His Excellency adds, that I shall be convinced that such was really the case, by the fact that the Local Authorities had not reported to him any landing of Negroes; and he concludes by expressing a hope that I will give him due notice, should I observe any thing connected with the subject of illicit Slave-trade.

I trust that it will not be doubted that my motives are strong, when, in the face of that communication, I assert that there exists not the shadow of a doubt that the "*Magico*" *did* land a cargo of Negroes in the Port of Cabañas, under the circumstances stated in one of my former Despatches.

I confess I am not surprised at the result of the investigation; but I am both grieved and surprized to find that the Captain-General should have sanctioned that result.

In my reply to the Captain-General, of which I have the honour to enclose a Copy, I have not ventured to make any comment upon it, but have merely stated that I would transmit his Letter to His Majesty's Government. I have also mentioned that several Vessels have lately landed Negroes on the Coasts of this Island to the amount, as was notorious, of nearly 3000. It is my intention to refrain altogether, until I shall have the honour of receiving your instructions, from calling the attention of the Captain-General to the ordinary cases of illicit Slave-trade that may occur, as I conceive that I should be in a manner lending myself to the disgraceful farce which is acting here, were I to continue to adopt a measure from which, after what has lately passed, it is not possible to expect any advantage whatever.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

(Signed) HENRY T. KILBEE.

*First Enclosure in No. 34.*

(Translation.)

*The Captain-General to the British Commissary Judge.*

SIR,

*Havannah, 9th March, 1825.*

HIS Excellency the Commander-in-Chief of the Naval Forces on this Station, directed that an investigation should be instituted for the purpose of discovering whether the Merchant Brig called the "*Magico*," had conveyed African Negroes, and had landed them in the Port of Cabañas; all in consequence of the Letter addressed to you by the Commander of His Britannick Majesty's Brig "*Carnation*," by which he has manifested his zeal in favour of so solemn a Treaty. From the certified copy of that summary investigation which the said Commander-in-Chief has transmitted to me, it does not appear that any such crime has been committed, or that the Brig "*Magico*," in entering the Port of Cabañas, had been actuated by any other motive but that of escaping from the insurgent privateers, which abound in these Seas, and to which class she believed that the Brig "*Carnation*," and the Tender-Schooners, "*Union*" and "*Assiduous*" belonged.

If you add to this, that neither the Civil nor Military Authorities of that District have reported to me any such disembarkation of Negroes, which subject I have recommended to their zeal, you will be convinced that the cause of the arrival of the Brig "*Magico*," at Cabañas was no other than that which appears by the aforesaid summary investigation. Both the Commander-in-Chief of the Naval Forces and myself are fully persuaded of your approved zeal, and of that of the Officers of the British Navy; and in order to satisfy it, I apprise you of this result; hoping that if you should observe any thing connected with the subject, you will have the goodness to give me due notice, in order that I may take the proper steps for the purpose of inflicting the penalties of the law upon the violators of a Treaty ordered to be strictly observed, and the fulfilment of which I have repeatedly enjoined in the strongest manner.

God preserve you many years.

*H. T. Kilbee, Esq.*

(Signed)

FRANCISCO DIONISIO VIVES.



*Second Enclosure in No. 34.**The British Commissary Judge to the Captain-General.*

SIR,

Havannah, March 11, 1825.

I SHALL not fail to transmit to my Government by the earliest opportunity, the Note which your Excellency has done me the honour to address to me, under date the 9th instant, apprizing me of the result of the summary investigation instituted for the purpose of discovering whether the Brig "*Magico*" had landed Negroes in the Port of Cabañas; upon which subject it is not for me to make any further observations than those which I have already submitted to your Excellency's consideration. With respect to the desire which your Excellency has been pleased to express at the conclusion of your Note, I have only to observe that Vessels continue to depart for, and arrive from the Coast of Africa, 4 having lately sailed for that destination, and 6 of those which sailed last year having arrived, as usual, in ballast; it being matter of notoriety and common conversation that the latter and some other Vessels have, within the last ten or eleven weeks, landed very nearly 3,000 Negroes on the Coast of this Island.

I have the honour to be, &amp;c.

His Excellency the Captain-General.

(Signed)

H. T. KILBEE.

## No. 35.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 23.)*

SIR,

Havannah, March 15, 1825.

SINCE I closed my Despatch of the 12th instant, I have received a Letter, of which the enclosed is a Translation, from the Captain General, in which His Excellency, in reply to a paragraph of mine of the 11th instant, states that he has nothing to do with the departures and arrivals of Vessels, unless there be a legal cause for proceeding against them.

I have the honour to be, &amp;c.

(Signed)

HENRY T. KILBEE.

*The Right Hon. George Canning,*  
 &c. &c. &c.

*Enclosure in No. 35.*

(Translation)

*The Captain-General to the British Commissary Judge.*

SIR,

Havannah, March 14, 1825.

IN reply to the last paragraph of your Note of the 11th instant, in which you state that the departures for and arrivals from the Coast of Africa continue, I must apprize you, as I have done before, that I have nothing to do with the departures and arrivals of Vessels, or with their mercantile operations, unless there may be a legal cause for proceeding against them; in which case, nobody is more ready than I to observe the laws, and cause them to be obeyed; and in order that you may be convinced of my intentions, I transmit, under this day's date, the paragraph above referred to of your Note, to His Excellency the Intendant.

God preserve you many years.

H. T. Kilbee, Esq.

(Signed)

FRANCISCO DIONISIO VIVES.

## No. 36.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received April 29.)*

SIR,

Havannah, March 25, 1825.

I HAVE the honour to enclose a Translation of another Note, which I have received from the Captain General, upon the subject of the illicit Slave-trade carried on with this Island, in which His Excellency inserts a Communication from the Intendant, stating, that the Custom-House Department here can do nothing in the matter.



Thus, while the extent and notoriety of the evil are not denied, it is expressly stated, that no branch of the Government here can afford any remedy whatever.

A Case of Slave-trade, of more than ordinary effrontery, has lately occurred. The Brig "*Relampago*", which sailed from hence for the Coast of Africa, in the month of August last, came close off this Port on the morning of the 22d, sent in her boat with the Mate, and after receiving instructions, proceeded to a small Port on this side of Mariel, where she landed 503 slaves, after which she returned and entered this Harbour last night.

A Schooner, named the "*Jacinta*", has cleared out at the Custom-House for St. Thomas', on the Coast of Africa, but has not yet sailed.

I have the honour, &c.

*The Right Hon. George Canning,* (Signed) H. T. KILBEE.  
 &c. &c. &c.

*Enclosure in No. 36.*

(Translation.)

*The Captain-General to the British Commissary Judge.*

SIR,

Havannah, March 24, 1825.

UNDER date the 16th instant, His Excellency the Intendant writes to me as follows:

"Most Excellent Sir, in reply to the official Letter of the 14th of this month, in which your Excellency inserts that of the British Commissioner, Mr. Kilbee, I must repeat, that this Custom-House, by its regulations, can do nothing in the matter; and this I have stated to our Lord The King, in order that His Majesty may be pleased to give me the directions he may think proper."

Which I transmit to you for your information, and in consequence of what I stated to you in my reply of the 14th instant.

God preserve you many years.

H. T. Kilbee, Esq.

(Signed)

FRANCISCO DIONISIO VIVES.

No. 37.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received May 26.)*

(Extract.)

Havannah, April 12, 1825.

ON the 31st ultimo the Schooner "*Paulita*," which sailed from hence in the month of October last, for the Coast of Africa, arrived in ballast, having previously landed 129 slaves.

On the 1st instant the Schooner "*Jacinta*" sailed for St. Thomas' on the African Coast.

That the number of departures of Slave-vessels has of late decreased, is to be attributed entirely to the present general stagnation of trade here, and to the large supplies of Negroes that are expected. Those inclined to embark in the traffick are influenced by no consideration but the prospect of profitable returns; for experience has shewn them, that no obstacle is to be apprehended from the Spanish Authorities; and I have no hesitation in saying, that the Slave-trade is now fully as extensive, and is carried on in all its branches, with very nearly as much publicity, as if our Treaty were not in existence.

*The Right Hon. George Canning,* (Signed) H. T. KILBEE.  
 &c. &c. &c.



## No. 38.

*Joseph Planta, Junior, Esq. to H. T. Kilbee, Esq.*

SIR,

*Foreign Office, June 4, 1825.*

YOUR Despatches up to the 18th of April inclusive, have been received and laid before The King.

With respect to that part of your Despatch, of the 12th of March, in which you state your intention to refrain from calling the attention of the Captain-General to the Ordinary Cases of illicit Slave-trade that may occur, until you receive further instructions upon the subject, I am directed by Mr. Secretary Canning to desire that you will continue to represent on *all* Cases, as heretofore; and that you will use your utmost endeavours, in a firm, though temperate manner, to elucidate the truth of every circumstance which may come under your observation.

I am, &amp;c.

(Signed)

J. PLANTA, Jun.

*H. T. Kilbee, Esq.*

## No. 39.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 15, 1825.*

I HEREWITH transmit to you, for your information, 6 Copies of Papers, marked A and B, relative to the Slave-trade, which have been presented to both Houses of Parliament by His Majesty's Command, in the course of the present Session.

I am, &amp;c.

(Signed)

GEORGE CANNING.

*His Majesty's Commissioners.*

## No. 40.

*Mr. Secretary Canning to H. T. Kilbee, Esq.*

(Extract.)

*Foreign Office, June 15, 1825.*

I PERCEIVE with satisfaction in your Despatches, continued marks of your vigilance in watching the Slave-trade, which unfortunately prevails in Cuba; of your temperate zeal and judgment in remonstrating against it with the Local Authorities, and of your proper assiduity and attention in reporting to me, for the information of His Majesty's Government, the various circumstances which come under your knowledge, affecting the operations in illegal Slave-trade.

I herewith send to you, for your information, the Copy of a Despatch, which I have recently addressed to His Majesty's Envoy at Madrid,\* enclosing to him the intelligence which you have given upon this subject.

*H. T. Kilbee, Esq.*

(Signed)

GEORGE CANNING.

\* See Class B.



## No. 41.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received July 21.)*

SIR,

*Havannah, May 10, 1825.*

I HAVE been informed by my Spanish Colleagues that, in a Report which they lately made to their Government, they mentioned the evil consequences likely, in their opinion, to result, from allowing the Negroes, who might be emancipated by the Mixed Commission, to remain in the Island; and they recommended that some arrangement should be proposed to the British Government for conveying such Negroes back to their own Country, or to any other Place, out of the Island, which might appear to the two Governments to be best adapted for the purpose.

I am, &c.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

(Signed)

H. T. KILBEE.

## No. 42.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received July 21.)*

SIR,

*Havannah, May 18, 1825.*

THE suspension of the departures of Vessels for the Coast of Africa, has been of short duration.

On the 5th instant, no less than 5, the names of which are stated in the enclosed List, sailed for that destination. They left this Port under convoy of the Spanish Frigate "Arethusa," and I understand were to proceed through the Florida Gulph in her company.

Three Vessels, two *Spanish* and one *French*, have arrived here lately, having previously landed about 815 slaves. The names of these Vessels are likewise inserted in the enclosed List.

I am, &c.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

(Signed)

H. T. KILBEE.

*Enclosure in No. 42.*

*Vessels that have sailed from the Port of Havannah for the Coast of Africa.*

1825.			
May 5....	Spanish Brig.....	<i>Conquistador</i> .....	Don Juan Sandrino ..... Master.
" 5....	" " ".....	<i>Anibal</i> .....	Don José Gomez ..... "
" 5....	" Schooner.....	<i>Segunda Gallega</i> ....	Don Agustin Capera..... "
" 5....	" " ".....	<i>Clarita</i> .....	D. José Anto. Artamoni .... "
" 5....	" " ".....	<i>Buena Ventura</i> .....	D. Franco, Suarez..... "

*Vessels which have arrived from the Coast of Africa.*

April 27....	Spanish Schooner, <i>Anfitrite</i> , D. Cristoval Mayor, Master, having landed 255 slaves.	
May 15....	French Brig ..... <i>Angeline</i> , M. L. Angaud	300 "
" 17....	Spanish Brig..... <i>Orestes</i> , D. Franco, Grego. Vega	260 "

815

*Note.*—Both the Spanish Vessels sailed from hence last year for the Coast of Africa; and on their return they reported themselves to be, the first from Sisal, and the other from Baltimore. The French Brig was announced to be from Matanzas; all, as usual, in ballast.



## No. 43.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received July 21.)*

SIR,

*Havannah May 27, 1825.*

SINCE the date of my Despatch of the 18th instant, the Spanish Schooner "*Paulita*" (a notorious Slave-trader) Don Joaquin Aureycochea, Master, has sailed for the Coast of Africa.

On the 25th instant the Schooner "*Matilde*," which sailed for that Coast in the month of July 1824, entered this Port in ballast, having previously landed a cargo of slaves, amounting, according to common report, to upwards of 350, on the Southern Coast of this Island.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

## No. 44.

*Mr. Secretary Canning to H. T. Kilbee, Esq.*

SIR,

*Foreign Office, August 15, 1825.*

YOUR Despatches reporting the prevalence and the publicity of the Slave-trade in Cuba, were transmitted, together with other information upon the same subject, to His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Madrid, with the Instruction of which I enclose a Copy.\*

I enclose at the same time a Copy of the Despatch which I have received from Mr. Lamb, reporting his conversation with the Spanish Minister upon that subject. Mr. Lamb's report has been communicated to the Admiralty.

I am, &c.

*H. T. Kilbee, Esq.*  
&c. &c. &c.

(Signed)

GEORGE CANNING.

\* See Class B.

## No. 45.

*Mr. Secretary Canning to W. S. M'Leay, Esq.*

SIR,

*Foreign Office, September 10, 1825.*

HIS Majesty's Government having permitted you to delay repairing to your Post, until that period of the Year when an European may, with less danger to his health, establish himself at the Havannah, I have, (that period being now arrived) to convey to you The King's Commands, that you proceed without further delay to execute the duties of His Majesty's Commissioner of Arbitration to the Mixed British and Spanish Commission established at the Havannah, under the Treaty concluded between Great Britain and Spain on the 23d of September 1817, for the prevention of illegal Slave-trade.

I send to you herewith the Commission, bearing date the 1st August 1825, by which The King was pleased to appoint you to the above-mentioned Situation.

You will shew this Commission to Mr. Kilbee, His Majesty's Commissary Judge at the Havannah, and, after conferring with that Gentleman, who will introduce you to the Spanish Commissioners and to the Local Authorities, you will proceed to take the requisite oaths in the form prescribed, and will enter upon the duties entrusted to your charge.

You will consider the Instructions sent out from this Office for the guidance of your Predecessor, and of Mr. Kilbee, as equally addressed to yourself; and will take those Instructions, together with the Treaty above-mentioned, and the Acts of Parliament founded upon it, as the rule of your conduct.

Further Instructions and Directions will be forwarded to you from time to time, as circumstances may require.

I am, &c.

*W. S. M'Leay, Esq.*

(Signed)

GEORGE CANNING.



## No. 46.

*H. T. Kilbee, Esq. to Mr. Secretary Canning,—(Received September 12.)*

SIR,

*Havannah, June 25, 1825.*

I HAVE the honour to acknowledge the receipt of your Despatch of March 17, 1825, addressed to His Majesty's Commissioners here, in which you are pleased to communicate the steps taken by His Majesty's Government, in conformity with the suggestions which I ventured to make in my Despatch of the 20th September 1824.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) H. T. KILBEE.

## No. 47.

*H. T. Kilbee, Esq. to Mr. Secretary Canning,—(Received September 12.)*

SIR,

*Havannah, June 25, 1825.*

I HAD the honour of receiving on the 22d instant, your Despatch of the 30th March 1825.

Highly gratifying as it must at all times be to me, to learn that my conduct meets with your approbation, it is more peculiarly so in my present mortifying situation, when the utmost exertions, which I have considered myself to be warranted in employing, with a view to the attainment of the object for which I am placed here by His Majesty's Government, have been attended with so little success.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) H. T. KILBEE.

## No. 48.

*H. T. Kilbee, Esq. to Mr. Secretary Canning,—(Received September 12.)*

SIR,

*Havannah, June 30, 1825.*

SINCE I addressed to you my Despatch of the 27th May last, four Vessels, two *French* and two *Spanish*, have arrived here, which, it is well known, had previously landed upwards of 1,000 Negroes on the Coast of this Island.

On the 26th instant, seven Vessels sailed for the Coast of Africa: they left this Port under convoy of His Catholick Majesty's Corvette "*Zafiro*," which was bound to Cadiz, and was to give them protection until they should get through the Florida Gulph.

I have the honour to enclose a List of all these Vessels. Amongst the departures will be found the names of many old Slave-traders, and in particular the "*Magico*" which has cleared out under the same name, and with the same Master, and has been dispatched by the same House, as on her former voyage to that Coast, which was brought under the consideration of this Government in so remarkable a manner.

Thus, in the first half of the present Year, 19 Vessels, of which all but one are Spanish, have sailed from this Port for the Coast of Africa; and 20 Vessels, viz.: 5 *French* and 15 *Spanish*, have arrived from thence, having previously landed on this part of the Island, that is, within twenty leagues of the Havannah, 5,766 Negroes. Allowing therefore, for the mortality during the passage, which must be considerable, it will be found that the calculation made in my Despatch of the 1st of January last, is much below the truth.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) H. T. KILBEE.



*Enclosure in No. 48.**List of Vessels which have arrived at the Port of Havannah from the Coast of Africa.*

1825.	May 29....	Spanish Schooner..	Barbarita .....	Pedro Blanco, Master, having landed 190 Slaves.	
	June 14....	French Brig.....	Le Jeune Louis ..	F. Demony .....	150 "
	" 21....	Spanish Schooner..	Dorotea .....	José Gardullo .....	352 "
			(a) La Deseade.		
	" 27....	French Brig.....	Sirius.....	C. M. Jasonns .....	318 "
				Total	1010

*Vessels that have sailed from the Port of Havannah for the Coast of Africa.*

June 26....	Spanish Schooner.....	Amazona .....	Raymundo Arribas, Master.
" " " "	" " " "	Barbarita .....	Pedro Blanco .... "
" " " "	" Brig .....	Magico .....	Joze Inza .....
" " " "	" " " "	Asdrual .....	Antonio Chevarrier "
" " " "	" Schooner.....	Ninfa Habanera.....	Joze Puig .....
" " " "	" " " "	Matilde.....	Juan Sagreras .... "
" " " "	" " " "	Anfitrite .....	Juan Leton .....

## No. 49.

*Joseph Planta, Jun. Esq. to H. T. Kilbee, Esq.*

SIR,

*Foreign Office, September 21, 1825.*

THIS Letter will be delivered to you by Mr. William Sharp M'Leay, whom The King has been pleased to appoint to be His Majesty's Commissioner of Arbitration at the Havannah, under the Treaty between Great Britain and Spain for the suppression of illegal Slave-trade.

Mr. M'Leay will shew to you his Commission and Instructions, and I am directed by Mr. Secretary Canning to request that you will introduce Mr. M'Leay to the Commissioners acting with you on the part of the Catholick King, and to the Local Authorities in Cuba, and that, having assisted at his taking the proper oaths in the prescribed form, you will regularly install him as a Member of the Commission. You will shew to Mr. M'Leay Copies of the Correspondence which you have addressed to this Department, and the Originals of the Correspondence which you have received from hence, together with your Official Correspondence with the Local Authorities, and I am to express to you Mr. Canning's hope and belief that the proceedings of yourself and Mr. M'Leay, in the execution of the duties of your Office, will be marked with reciprocal confidence and cordiality.

I am, &amp;c.

*H. T. Kilbee, Esq.*

(Signed)

JOSEPH PLANTA, JUN.

## No. 50.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received September 23.)*

(Extract.)

*Havannah, July 1, 1825.*

THE sale of the Spanish Schooner "*Relampago*," condemned on the 23d of December 1824, was delayed in consequence of the severe illness of the Secretary shortly after that condemnation. Upon his recovery every endeavour was made for effecting the sale as speedily as possible, consistent with the dilatory forms established here, and the Schooner was finally disposed of at



public auction on the 18th of March for 1300 dollars. She was very small, and in a bad state, and I am perfectly satisfied that every possible publicity was given to the sale, and that every effort was made to obtain a higher price.

(Signed) H. T. KILBEE.  
The Right Hon. George Canning,  
&c. &c. &c.

## No. 51.

H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received September 23.)

SIR,

Havannah, July 1, 1825.

I HAVE the honour to enclose, in Duplicate, the Return directed by the 75th Clause of the Act of 5 Geo. 4, cap. 113, to be forwarded on the 1st of January and 1st of July of every year.

During the last six months no Case has been brought for adjudication before this Mixed Commission. I have, however, inserted two Cases, which were adjudged in the preceding half year, but no return of which was made on the 1st of January last; your Despatch, dated the 20th of November 1824, in which that Act of Parliament was enclosed, not having reached me till the 19th of February. I have the honour to be, &c.

(Signed) H. T. KILBEE.  
The Right Hon. George Canning,  
&c. &c. &c.

## Enclosure in No. 51.

## Return of Cases adjudicated by the Mixed Commission at the Havannah.

Date of Seizure.	Property Seized.	Seizor.	Date of Sentence.	Decretal part of Sentence whether Forfeiture or Restitution.	Whether Property condemned has been sold or converted, and whether any part remains unsold; and in whose hands the Proceeds remain.
June 16, 1824	Portuguese Brig Maria de la Gloria, with 400 Negroes	Capt. Apodaca of H. C. M. Brig Marte	July 16, 1824	That the Mixed Commission was not competent to try the Case, the Vessel being Portuguese	
Dec. 14, 1824	Spanish Schooner Relampago, with 159 Negroes; no other cargo	Lieut. Liardet commanding H. B. M. Schooner Lion	Dec. 23, 1824	Forfeiture	The Schooner, tackle, &c. have been sold; nothing remains unsold. The British moiety of the net proceeds has been remitted to His Majesty's Secretary of State for Foreign Affairs. The Spanish moiety has been handed over to the Government of the Island.

Havannah, July 1, 1825.

(Signed)

HENRY. T. KILBEE.

## No. 52.

H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received September 23.)

SIR,

Havannah, July 5, 1825.

IN obedience to the Instructions contained in Lord Castlereagh's Despatch of the 19th of February 1819, I have the honour to enclose a



certified Copy of the Register of the Slaves emancipated by Decree of this Mixed Commission: they belonged to the Spanish Schooner "*Relampago*," the only Vessel as yet condemned by the same.

It was with great satisfaction that I learnt from the Captain-General that, at the inspection of those Negroes which took place in his presence on the 1st June, His Excellency found them to be in a remarkably advanced state, and that they appeared to be well satisfied with their condition; very few were reported to have died, and those few had been under the care of the Consulado, where no suspicion of foul play could attach.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) H. T. KILBEE.

*Mem.*—The Enclosure contains the names and particulars of emancipation and registry of Slaves, from No. 1 to No. 149, amounting to 149 Slaves.

No. 53.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.*—(Received September 23.)

(Extract.)

*Havannah, July 15, 1825.*

I HAVE already mentioned that Don Rafael Gonzalez, the Secretary of this Mixed Commission, was very seriously indisposed shortly after the conclusion of the Case of the "*Relampago*." His recovery was slow; and being recommended by his Physician to retire to the country, he applied for leave of absence to the Captain-General, requesting at the same time that his son, Don Rafael Gonzalez y Barranco, might be allowed to act as his deputy in the Office of Secretary during his absence, upon that or any future occasion.

The Captain-General having referred this application to the Mixed Commission, we gave our opinion that it should be complied with; and we took that opportunity to mention to His Excellency, that great inconvenience had been experienced by us in the Cases of the "*Maria De la Gloria*" and the "*Relampago*," from the want of proper Officers, adding that we should take an early occasion of calling his attention to the subject.

When the Offices of Spanish Commissary Judge and of Intendant were held by the same person, which was always the case until the appointment of M. de Jauregui, no inconvenience was felt, as, at the few meetings which were held of the Mixed Commission, Clerks belonging to the Intendant's Department were always in readiness to act as Officers of the Court. But in the Cases above-referred to, we were deprived of this resource and subjected to serious inconvenience. We accordingly addressed a Letter to the Captain-General, proposing the appointment of a first Clerk and an Alguacil, as permanent Officers of the Court, with a fixed salary, and a certain additional allowance, when actually employed in the performance of their respective duties; and I conceived myself to be authorized, by paper No. 3, of Class B. of the Papers laid before Parliament in 1824, to consent to the arrangement that those salaries should be defrayed jointly by the two Governments, they being moreover of very trifling amount, viz: thirty dollars a month for the first Clerk, and twenty for the Alguacil. The additional allowance will of course be deducted from the proceeds of the sale of Slave-vessels in cases of condemnation. We also took occasion to recommend in the strongest terms, the distinguished services and merits of our Secretary, who has hitherto performed the duties of his Office without any salary or emolument whatever; and we proposed that a salary should also be assigned to him of 1000 dollars a year, together with an additional allowance when actually employed—both to be defrayed by the Spanish Government.



His Excellency in reply expressed his approbation of the arrangement proposed, but said that he had not authority to consent to its being carried into effect without the permission of his Government, to whom he had referred the subject. (Signed) H. T. KILBEE.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

## No. 54.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received September 23.)*

SIR,

Havannah, July 31, 1825.

DURING the present month four Vessels have sailed from hence for the Coast of Africa, and four have returned from thence; the latter having landed upwards of 1200 Negroes on the Coast of this Island.

I have the honour to enclose a List of these Vessels, which are all *Spanish*. I have learnt, within these few days, that the Schooner "*Relampago*," which was condemned and sold by the Mixed Commission, is one of those which have been dispatched for the Coast of Africa lately. She sailed under the name of the "*Buena Ventura*," and her departure is reported in my Despatch of the 18th of May last. I have the honour to be, &c.

*The Right Hon. George Canning,*  
*&c. &c. &c.*

(Signed)

H. T. KILBEE.

*Enclosure in No. 54.**Departures of Vessels from the Port of Havannah for the Coast of Africa.*

July 20....	Spanish Schooner	.....	<i>Tragenes</i>	.....	Juan Alvarez Verinas, Master.
" " " "	"	.....	<i>Iberia</i>	.....	Andrez Inzua " "
" " " "	"	.....	<i>Carlota</i>	.....	Lorenzo Billo " "
" " " "	Brig	.....	<i>Orestes</i>	.....	Jose Ramon Matiz.... " "

*Arrivals from the Coast of Africa.*

					Negroes.
July 20....	Spanish Brig	.....	<i>Teresa</i>	.....	Juan B. Aresti, Master, having landed 435
" 22....	" Schooner	.....	<i>Minerva</i>	.....	Pablo Barnet " " 182
" 29....	"	.....	<i>Ninfa</i>	.....	Juan Mandial " " 245
" 29....	"	.....	<i>Atrevida</i>	.....	Jose Ant <sup>o</sup> Herrera " " 380
				Total	1242

## No. 55.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, September 29, 1825.

I HAVE received the Despatches of His Majesty's Commissary Judge at the Havannah up to the 31st of July 1825.

In reference to the Despatch of the 15th of July, I have to signify to you my approbation of the proposition which His Majesty's Commissioners, conjointly with the Spanish Commissioners, have, as mentioned in that Despatch, made, in respect to the appointment of Officers to the Mixed Commission Court at the Havannah.



At the same time I must remind you, that the proceeds of each Vessel and Cargo condemned under the Slave-trade Treaty with Spain are not to suffer any deduction, excepting for the expences in each Case necessarily attending and belonging to the proper adjudication and sale of the particular Vessel and Cargo in question.

I am, &c.

*His Majesty's Commissioners.*

(Signed) GEORGE CANNING.

No. 56.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 16, 1826.)*

(Extract.)

*Havannah, August 30, 1825.*

FOR some days after the receipt of the Instructions conveyed to me in Mr. Planta's Letter of the 4th of June, I was prevented by indisposition from carrying them into effect. On the 19th instant, however, I addressed to the Captain-General a Note, of which a Copy is enclosed, in which I stated the substance of my Reports to you, and the result of the observations which I have made upon the subject of illicit Slave-trade, since I had last addressed His Excellency upon the same.

In the Reply of the Captain-General, a Translation of which is also enclosed, the existence of the evil is not denied, it being indeed undeniable. It is asserted that the strictest orders have been repeatedly issued upon the subject, and a general excuse is attempted to be made for the ill success of the Local Authorities, which is certainly far from being satisfactory. With respect to the invitation given to me by His Excellency to inform him confidentially of any fact *that can be proved*, he can scarcely be ignorant that it is more peculiarly difficult for His Majesty's Commissioners to obtain proofs respecting Cases of illicit Slave-trade, than for any other individuals in the Island.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

*First Enclosure (A.) in No. 56.*

*The British Commissary Judge to the Captain General.*

SIR,

*Havannah, August 19, 1825.*

HAVING received instructions from my Government to continue to represent to your Excellency upon the Cases of illicit Slave-trade that reach my knowledge, which practice I have for some time discontinued, I shall now proceed to draw your Excellency's attention to the result of my observations since I last had the honour of addressing you upon this subject, in my Note of the 11th of March.

Since that date, 18 Spanish Vessels, the names of which are contained in the enclosed List, are stated in the publick Newspapers to have sailed for the Coast of Africa. Among this number is the "*Magico*," which cleared out under the same Name and Master, and was dispatched by the same House, as on her former voyage to that Coast, which was brought under your Excellency's consideration in so remarkable a manner.

Within the same period, 11 Spanish Vessels, the Names of which are also contained in the enclosed List, which had sailed from hence for the Coast of Africa, during the last and present year, have returned all, as usual, in ballast; it being notorious, (so notorious as to preclude all doubt,) that these, together with some French Vessels, which have likewise arrived here, had previously to their entrance into this Port, landed upwards of 4000 Negroes upon the Coasts of this Island.

It cannot well be imagined that so considerable a number of Negroes should be landed and marched through the interior without the knowledge of the Local Authorities, upon whose conduct, in not preventing such repeated violations of Law and Treaty, I do not consider that it is within my province to make any comment here:

Bozal Negroes have of late been frequently, and I believe still are, sold in a very open manner at the Barracones, parties of them being marched off from thence by the purchasers at the most publick hours.

The little reserve which it is thought necessary to observe upon this subject, may be collected



from the Advertisements which are to be seen in the Newspapers; that inserted in the Diario of the 13th instant, (a Copy of which is herewith enclosed,) being particularly worthy of observation.

I think it right, however, to add, that I am perfectly aware that the mention made in it of your Excellency's name, is merely a matter of form.

Being a witness of this state of things, I have felt it to be incumbent on me to express to His Majesty's Government my opinion, that the Slave-trade with this Island, is now fully as extensive, and is carried on in all its branches with very nearly as much publicity, as if the Treaty of 1817, between Great Britain and Spain were not in existence.

Such is the substance of the Reports which it has been my painful duty to make to my Government, since I had the honour of addressing your Excellency on the 11th of March, and of which I beg leave to apprise your Excellency, in conformity with my former practice, and the express Instructions which I have just received. I avail myself, &c.

His Excellency The Captain General.

(Signed)

H. T. KILBEE.

*First Enclosure (B.) in No. 56.*

*List of Spanish Vessels which have sailed from the Port of Havannah for the Coast of Africa, in the interval between the 11th March and 19th August 1825.*

April	1st	-	-	Schooner	-	-	Jacinta.
May	5	-	-	Brig	-	-	Conquistador.
"	5	-	-	"	-	-	Anibel.
"	5	-	-	Schooner	-	-	Segunda Gallega.
"	5	-	-	"	-	-	Clarita.
"	5	-	-	"	-	-	Buenaventura.
"	22	-	-	"	-	-	Paulita.
June	26	-	-	"	-	-	Amazona.
"	26	-	-	"	-	-	Barbareta.
"	26	-	-	"	-	-	Ninfa Havanera.
"	26	-	-	"	-	-	Matilde.
"	26	-	-	"	-	-	Anfitrite.
"	26	-	-	Brig	-	-	Magico.
"	26	-	-	"	-	-	Asdrubal.
July	20	-	-	Schooner	-	-	Teagenes.
"	20	-	-	"	-	-	Iberia.
"	20	-	-	"	-	-	Carlota.
"	20	-	-	Brig	-	-	Orestes.

*First Enclosure (C.) in No. 56.*

*List of Spanish Vessels which have returned from the Coast of Africa during the same period, having landed Cargoes of Negroes previously to their entering the Port of Havannah.*

March	24th	-	-	Brig	-	-	Relampago.
"	31	-	-	Schooner	-	-	Paulita.
April	27	-	-	"	-	-	Anfitrite.
May	17	-	-	Brig	-	-	Orestes.
"	25	-	-	Schooner	-	-	Matilde.
"	29	-	-	"	-	-	Barbarita.
June	21	-	-	"	-	-	Dorotea.
July	20	-	-	Brig	-	-	Teresa.
"	22	-	-	Schooner	-	-	Minerva.
"	29	-	-	"	-	-	Ninfa.
"	29	-	-	"	-	-	Atrevida.

*First Enclosure (D.) in No. 56.*

(Translation.)

*Extract from the Diario del Gobierno de La Havana, of the 13th August 1825.*

THE Commissary of the District of San Juan de Dios holds in his possession, by order of His Excellency the Captain-General, a bozal Negress, who cannot tell her name or that of her Master; and he will deliver up the same to the person who shall prove himself to be the Owner, upon payment of the reward for taking her (la captura) and the other expences that may have been occasioned.



*Second Enclosure in No. 56.*

(Translation.)

*The Captain General to the British Commissary Judge.*

SIR,

*Havannah, August 27, 1825.*

I HAVE received, together with your Note of the 19th instant, a List of the Vessels which have sailed from this Port for the Coast of Africa, and of those which have returned in ballast, and likewise a Copy of the Diario of this City of the 13th, my attention being called to the Advertisement inserted in it respecting a bozal Negress, unable to tell her name, who had appeared before the Commissary of the District of San Juan de Dios; and I have taken into due consideration the contents of the same, and the other points to which you refer in your above-mentioned Note, by which you endeavour to persuade me, that the Treaty of 1817, relative to the illicit commerce of slaves, has been violated.

In reply, I cannot avoid stating to you, that the constant vigilance of this Government, in abolishing that commerce, and its reiterated orders for the pursuit and apprehension of such as may endeavour to carry it on clandestinely, may have sometimes been eluded by the sordid interest of the Traffickers; but you must be aware that the Government cannot prevent Vessels from opening their Register for one point, and proceeding to another on the Coast of Africa, returning afterwards in ballast; the zeal being well known with which it has dictated all the measures in its power to prevent the violaters from escaping with impunity. For this purpose very frequent have been the Circulars which I have addressed to all the Authorities of the Interior of the Island, in order that they may watch vigilantly that the Traffick be not carried on; and I have given the same directions, upon their most strict responsibility, to the Commandants of Detachments on the Eastern and Western Coasts, and of all the fortified points; this matter being an object of my care.

With respect to what you state to me, of your belief that Negroes are sold at the Barracones, I have given the strictest orders to the Parties of Police, and to the Captain of the District in which they are situated, to watch and take care at all hours, they being made strictly responsible, that the Treaty, to which I refer, be not violated, apprehending those who may attempt to do so and seizing the Negroes that may be found, reporting the same to me immediately for the exemplary punishment of the delinquents; and I request that you will state to me confidentially any fact that can be proved, for I desire nothing so much as to convince you of the real interest which I take in promoting the punctual and exact fulfilment of the said Treaty.

You must be aware that no Nation has ever been able to prevent its subjects from engaging in smuggling; neither confiscations, nor the penalties which they suffer for the infraction of the Laws, being sufficient to deter them, as is the case even in England, the vigilance and activity with which they are pursued, being rendered abortive; and that consequently it is not absolutely impossible that the smugglers or dealers in bozal Negroes may elude the vigilance and activity of the Local Authorities, particularly as it is well known that the Island is accessible, in many points, where there are nothing but plantations in which encouragement may be given to this illicit Traffick, without the knowledge of the Authorities, the parties concerned trusting to the fact that the Negroes of plantations, after a residence of ten or more years in the Island, appear to have just come from Africa.

The investigation which I had ordered to be instituted, prior to the receipt of your Note, respecting the Advertisement in the Diario, which you mention, affords an unanswerable proof of the justness of my assertions, for the moment that it reached my knowledge that the Negress in question could not tell her name, I directed that it should be ascertained from whence she had come, and that her Owner should be required to produce the Barracon Paper, or whatever title he might have, it appearing, by that which was produced that she was purchased on the 4th May 1820, and that her ignorance or stupidity in the manner of expressing herself, was feigned, according to the statement made by her Mistress, Donna Jozefine Retelie, to whom, for these reasons she was delivered. This is all I have to state to you in reply to your above-mentioned Note; availing myself on this occasion to renew to you my consideration and respect.

God preserve you many years.

H. T. Kilbee, Esq.

(Signed)

FRANCISCO DIONISIO VIVES.

No. 57.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 16, 1826.)*

SIR,

*Havannah, August 31, 1825.*

DURING the present month, only one Vessel has sailed for the Coast of Africa, viz. the French Brig "*Sirius*," A. Tarquer, Master, on the 29th inst. Her arrival here, after having landed a cargo of Negroes, was reported in my Despatch of the 30th of June.

This is the first French Vessel which has sailed from hence direct for the Coast of Africa since the abolition of the Slave-trade, indeed, I believe, since I have been resident in the Island.



The Spanish Brig "*Alerta*" arrived here on the 29th instant, having previously landed at the usual haunt, the neighbourhood of Cabañas, about 450 Negroes, according to common report. This Vessel was fitted out at Cadiz, and it has been stated here that she was attacked, and received considerable damage from a British Cruizer on the Coast of Africa. I have lately heard that the Spanish Schooner "*Feliciana*," which sailed from hence for the Coast of Africa in September 1824, upon her return some time ago with a Cargo of nearly 300 Negroes, was lost off the Isle of Pines. The Crew and some few of the Negroes were saved.

The French Government, having now accredited Agents resident here and at Santiago de Cuba, will be enabled to take effectual measures for the suppression of the illicit Slave-trade carried on with this Island under the French Flag. Since the commencement of this Year 5 Vessels of that Nation have entered this Port, which it was perfectly notorious had previously landed cargoes of Negroes. I have the honour to enclose a List of them, although the arrival of each has been already duly reported to you.

I am, &c.

The Right Hon. George Canning,  
&c. &c. &c.

(Signed) H. T. KILBEE.

*Enclosure in No. 57.*

*List of French Vessels engaged in the Slave-trade, which have arrived at the Port of Havannah during the present Year, 1825.*

						Negroes.
Jan. 1	-	Brig	-	Gaspard	-	L. Maillard, Master, said to have landed 300
Feb. 13	-	"	-	Gustave	-	Heraud Ainé, " 400
May 15	-	"	-	Angeline	-	L. Angaud, " 300
June 14	-	"	-	Le Jeune Louis	-	F. Demony, " 150
" 27	-	"	-	Sirius	-	C. M. Jassons, " 318
						<hr/> 1468 <hr/>

No. 58.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 15, 1826.)*

SIR,

*Havannah, September 4, 1825.*

I HAVE the honour to enclose the Translation of a Note which I have received from the Captain General, in which he informs me that a Police Officer had seized five bozal Negroes in one of the Barracones. In my Reply, a Copy of which is enclosed, I thanked His Excellency for this communication, and expressed my intention of transmitting it to His Majesty's Government.

This seizure has caused considerable alarm, and I have no doubt that it will prevent, for a long time, the sale of Negroes at the Barracones.

The Right Hon. George Canning,  
&c. &c. &c.

I am, &c.  
(Signed) H. T. KILBEE.

*First Enclosure in No. 58.*

(Translation.)

*The Captain General to the British Commissary Judge.*

SIR,

*Havannah, September 2, 1825.*

IN order to afford you a fresh proof of the exactitude and zeal with which this Government endeavours to observe, inviolably, the Treaty of 1817, and of the Orders which I have given expressly for that purpose to the Commandants of the Police Detachments, and to the Captain of the District of San Lazaro; I inform you that the said Captain has just reported to me, that



having forcibly entered the Barracones, which are situated in his District, he found in that, No. 8, five bozal Negroes, viz. two grown males, two boys and a girl, under the care of Don Joaquin Martinez, a person in the employ of D. Pablo Samá; which Negroes remain in the hands of the said Captain, in order that the proper proceedings may be commenced in conformity with the Treaty above referred to. God preserve you many years.

Henry Kilbee, Esq.

(Signed) FRANCº. DIONº. VIV

*Second Enclosure in No. 58.*

*The British Commissary Judge to the Captain General.*

SIR,

Havannah, September 3, 1825.

I BEG leave to express my grateful thanks for the communication which your Excellency has been pleased to make to me in your Note of the 2d instant, which I shall not fail to transmit to my Government by the earliest opportunity, as well as that which your Excellency did me the honour to address to me on the 27th ult, in reply to mine of the 19th of the same.

His Excellency the Captain General.

I am, &c.

(Signed) H. T. KILBEE

No. 59.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 3.)*

SIR,

Havannah, September 16, 1825.

I HAVE the honour to acknowledge the receipt of your Despatch, dated June 15, transmitting a Copy of the Papers relative to the Slave-trade, which were presented to both Houses of Parliament in the course of the last Session.

I am, &c.

*The Right Hon. George Canning,* (Signed) HENRY T. KILBEE.  
 &c. &c. &c.

No. 60.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 3.)*

SIR,

Havannah, September 16, 1825.

I HAVE the honour to acknowledge the receipt of your Despatch of the 15th June, in which you have been pleased to transmit to me Copies of Communications made to His Majesty's Envoy at Madrid, and to the Secretary of the Admiralty, connected with the subject of the illicit Slave-trade, carried on with this Island, and to convey to me your approbation of my conduct; for which I beg leave to express my high gratification and most grateful acknowledgements.

I have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) HENRY T. KILBEE.  
 &c. &c. &c.

No. 61.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 3.)*

SIR,

Havannah, September 30, 1825.

DURING the present month three Spanish Vessels have sailed for the Coast of Africa; and two have arrived from thence, which landed 530 Negroes. The names of all these Vessels are contained in the enclosed List.

P



Since the date of my Despatch of August 31, I have had a conversation with M. Angelucci, the French Consul-General, respecting the Slave-trade carried on with this Island under the French Flag; and I have great pleasure in informing you that he expressed himself in the most satisfactory manner upon the subject. He stated his determination, now that he was duly acknowledged and his *Exequatur* granted, to do every thing in his power to put an end to this open violation of the French Laws; and that he was resolved, upon the arrival here of any of the notorious French Slave-traders, which are in the habit of entering this Port after landing their Negroes on the Coast, to apply to the Government to place the Master and crew in confinement, until he should have an opportunity of sending them to France for trial. He also mentioned that he had drawn the attention of his Government to the Case of the Brig "Sirius," whose departure from hence for the Coast of Africa has been reported to you in my above mentioned Despatch.

I am, &amp;c.

The Right Hon. George Canning,  
&c. &c. &c.

(Signed) H. T. KILBEE.

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*Enclosure in No. 61.*

*List of Spanish Vessels which have departed for, and arrived from, the Coast of Africa.*

*Departures.*

September 16 .....	Schooner .....	<i>Intrepida</i> .....	Jose A. Herrera, Master.
" " .....	" .....	<i>Minerva</i> .....	Juan Duran, "
" " .....	" .....	<i>Ismenia</i> .....	Santiago Manzana, "

*Arrivals.*

September 15 ..	Schooner ..	<i>Nicanor</i> , Jacinto Telleache, Master, having landed 180 Negroes.	
" 16 ..	" ..	<i>Iris</i> , ... M. S. Echevarria, "	350 "
Total .....			530

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No. 62.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 8.)*

SIR,

Havannah, October 20, 1825.

ON the 11th instant His Majesty's Schooner "Lion," Lieutenant Edward Smith, Commander, brought into this Port the Spanish Brigantine "Isabel," which she had captured on the 5th, with 10 Negroes on board.

On the 17th, sentence of condemnation was pronounced by the Mixed Commission.

The Brigantine "Isabel," of which Don Joze Cayetano de la Cuesta was the ostensible Owner, and Don Pedro Blanco, Master, sailed from hence for Princes Island, on the Coast of Africa, in the month of August 1824; she however proceeded direct to the Port of Gallinas, where she remained many months; and at length Blanco embarked, about the beginning of last August, 50 Negroes, and appointed Don Vicente Gomez to the command of the Vessel, (he himself remaining on the Coast of Africa), with directions to return to this Island, and land the Negroes on some part of the Coast. In the neighbourhood of Nuevitas she was chased and captured by the "Lion," after having been purposely run ashore. She had a Pilot on board, and, it was stated, was making for that Port. The Master (Gomez), with six of the Crew, the Pilot, and 39 Negroes, escaped on shore; the remainder of the crew, con-



sisting of the Acting Mate, Barriera, and 17 men, with 10 Negroes, one having died during the voyage, were taken in the Vessel. All the Papers were said to have been carried away by Gomez, with the exception of the Log-Book, which was duly produced to the Court.

I have the honour to enclose an Abstract of the Evidence, together with a Copy and Translation of the Decree of Condemnation.

The same formalities, with respect to the emancipation of the Negroes, were adopted in this Case as in that of the "Relampago."

The foregoing statement is taken from the depositions of the Witnesses; but I have heard that the Owners of the Vessel strongly suspect that she and the 50 Negroes were robbed by Gomez, and the crew, from the original Master, Pedro Blanco, who, it is said, was, at the time of sailing, at Gallinas, with 300 slaves, with whom it was his intention to embark the next day. It certainly does appear extraordinary that so large a Vessel should have come with so small a cargo, and that she should make for the Port of Nuevitas, so far distant from Havannah, where her Owners reside, and in the vicinity of which the Negroes could probably have been disposed of to more advantage.

The "Isabel" is one of the largest Vessels engaged in the traffick from hence: she had 12 heavy guns on board, of which 6 were mounted. The extraordinary disparity in size and force, between the Captor and the Prize, while it is highly creditable to the former, has produced the salutary effect of shewing those engaged in illicit Slave-trade how little any effectual resistance can be expected from their sailors, when opposed to His Majesty's Navy, under whatever advantages they may be placed.

The Captain-General will have learnt, from the sentence, that 39 Negroes were conveyed on shore by the Master of the "Isabel," and will consequently be enabled to issue orders for their apprehension, if they can be found, should he judge such a step to be advisable.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed) H. T. KILBEE.

P. S. I have just been informed, that one Negress has been delivered of a male child. This circumstance has been inserted in her Certificate of emancipation.

*First Enclosure in No. 62.*

*Abstract of the Evidence in the Case of the Spanish Brigantine "Isabel."*

LIEUT. SMITH declared in his Affidavit, that he had captured the "Isabel" on the 5th of October, in Latitude  $21^{\circ} 27'$  North, Longitude  $77^{\circ} 16'$  West, with 10 Negroes on board, viz. 4 males and 6 females; and that he found on board only the Log-book, which he produced; the rest of the Papers of the Vessel were stated to have been taken away by the Master, who escaped on shore.

Joaquin Barriera deposed, that he was a Native of Malaga, from which Port he sailed in the month of August 1824, in a French Brig, bound to Goree, where he arrived in about 25 or 30 days; that he there entered into the Spanish Schooner "Feliciano" as a passenger to be conveyed to St. Thomas', and from thence to Havannah; but that Schooner having touched at Gallinas, where the Brigantine "Isabel" was then laying, he was admitted on board the latter as third Mate; he was, however, subsequently informed, that he could only be received as a passenger: that Pedro Blanco, the Master of the "Isabel," after that Vessel had remained at Gallinas till the middle of August, embarked 50 Negroes, and gave the command of the Vessel to Vicente Gomez, with directions to proceed to the Island of Cuba, and land the Negroes on some part of the Coast: that the said Gomez resolved upon making for Nuevitas, being informed by a Pilot whom he had received on board, that he could dispose of the Negroes there to advantage: that being near Guanaja, the Brigantine was chased by a Schooner, which was at first supposed to be a Pirate, but proved to be an English Vessel of War, and captured; the Master and 39 of the Negroes having escaped to the shore: that after the departure of Gomez, no one had been entrusted with the command of the Brigantine, but that it was he (the deponent) who delivered up to the English Commander, the only Papers on board, viz. the Log-book.

Domingo Prato deposed, that he was a Native of Palma, in Majorca; that he sailed from this Port in the month of August 1824, as a sailor, on board the Brigantine "Isabel," bound for Princes Island, but that she proceeded direct to Gallinas, on the Coast of Africa, where she re-



mained for many months; that at length the Master, D. Pedro Blanco, sent on board 50 Negroes, and gave the command of the Vessel to D. Vicente Gomez, (he himself remaining on the Coast of Africa) with orders to proceed to the Island of Cuba: that in the old Channel they were pursued and captured by an English Schooner, and carried into the Port of Havannah; the Master, Gomez, previous to the capture, having landed with part of the Crew and 39 Negroes. That Joaquin Barrera remained in the command of the Vessel after the departure of Gomez; and that he, the deponent, acted as Boatswain on the return voyage from Africa. Joze Salas, a Native of Mahon, and also a sailor belonging to the "Isabel," corroborated fully the testimony of the two preceding Witnesses.

Havannah, October 20, 1825.

*Second Enclosure in No. 62.*

(Translation.)

*Decree of Condemnation of the Spanish Brigantine "Isabel."*

Havannah, October 17, 1825.

THE merits of this Cause having been duly considered, it is declared to be good and lawful, the prize made by His Britannick Majesty's Schooner of War, "Lion," Lieutenant Edward Smith, Commander, of the Spanish Merchant Brigantine, named "Isabel," with a cargo of 10 Negroes at the time of the capture, viz. 4 males and 6 females, being then under the command of D. Joaquin Barrera, the Master D. Vicente Gomez, having escaped on shore with 39 Negroes more, the remainder of the cargo, as the aforesaid Barrera, and the two other Witnesses who have been examined, have stated in their depositions. It is consequently, likewise declared, that the said Brigantine, her tackle, apparel, and whatever may be contained therein, are subject and liable to confiscation, for the benefit of the Spanish and English Governments, with the exception of the aforesaid Negroes, who are free from all slavery and captivity. Let the condemned Vessel be appraised by the principal Masters of the Arsenal, or by other skilful persons who may be appointed, in order that it may be disposed of by publick auction at Don Antonio Galea's, being previously proclaimed by the publick crier, at intervals of three days, and Advertisements of this proceeding inserted in the "Diario" and "Noticiozo Mercantil," of the Havannah; the Vessel being for the present placed in deposit with D. Jayme Andrew, who shall take the proper oath for the purpose of receiving the same by formal inventory. And with respect to the Negroes, let the proper Certificate of Emancipation be given to them, by the person who shall be appointed to perform that duty, for which purpose an official Letter, with a certified Copy of the Sentence, shall be addressed to His Excellency the Captain-General, requesting that he may be pleased to name a person of trust to receive and take charge of them, until His Excellency shall dispose of them as he may think proper, in conformity with the letter and spirit of the Treaty. And when His Excellency shall have selected the said person, it shall be notified to the Captor to deliver up to him the aforesaid Negroes, and the Brigantine to the Depositary.

(Signed)

ANDRES DE JAUREGUI.  
RAFAEL DE QUESADA.

H. T. KILBEE.

RAFAEL GONZALEZ, Secretary.

No. 63.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 8.)*

(Extract.)

Havannah, October 21, 1825.

SOME months ago an Individual with a party of newly imported Negroes was detained, when passing through a village, by a Country Magistrate, called a "Capitan de Partido," who placed the Negroes in the hands of certain persons by whom they were stolen during the night, and sold;—the Captain himself being implicated in the transaction, and all the parties trusting that the Owner would never venture to institute legal proceedings, the Negroes having been illicitly imported. The owner, however, did present himself before the tribunal of the Captain General, claiming the restitution of the Negroes, and accusing the persons to whose charge they had been confided, and even the Captain himself, of the robbery. The latter defended himself by alleging that the Negroes had been illicitly imported, and that he was consequently justified in the detention. In this state of the proceedings, the Owner contrived to have the cause divided into two;—the one for the prosecution for the robbery, and the restitution of the Negroes; and the other for the purpose of investigating whether these had been illegally imported.

The latter involving most important considerations, the Captain General required the advice of one of his official Legal Counsellors, whom he is directed to consult in matters purely legal, and whose sanction in the same relieves him from all responsibility. There are two of those Counsellors, and their title is Lieutenant Governor (although their Office is entirely judicial) and Assessor General of the Government; and they are the Chief Judges here in Civil Affairs.

I have the honour to enclose a Translation of the Report made by one of those Judges to the Captain General, respecting the investigation whether the Negroes were illegally imported, which, he gives it as his opinion, should be suspended for the present, on the grounds of expediency, *and of there being no positive Law to authorize such investigation.*—He gravely argues, that the *English Negociator* not having been able, in the *Treaty*, to obtain the concession, upon which it is taken for granted he insisted, that the traffick should be suppressed on shore as well as at sea, it was never intended to carry the restriction so far; and, that it was thus, that His Catholick Majesty combined the sentiments of humanity with the wants of His American Possessions. He totally disregards the most sacred right to their liberty, which the Negroes expressly acquire by the *Royal Cedula*, in the *first Part* of the Spanish Dominions at which they shall arrive; and assumes, that before the provisions of that Cedula can be acted upon, there must be a previous declaration of the Vessel being a good prize by the Mixed Commission, which is not so much as mentioned therein.—In short, the whole production would appear to be not that of a Judge expounding the Law, with a due regard to its true spirit, to the manifest intention of the Legislator, and the interests of all parties, but of a subtle Advocate exerting his ingenuity to furnish arguments, some not even specious, and all most fallacious, for the obvious purpose of eluding its effects.

This report affords the strongest possible proof of the absolute necessity, upon which I have before dwelt, of the Spanish Law relating to illicit Slave-trade, being altogether new modelled.

*The Right Hon. George Canning,* (Signed) H. T. KILBEE.  
*&c. &c. &c.*

*Enclosure in No. 63.*

(Translation.)

*Judicial Report to the Captain General.*

MOST EXCELLENT SIR,

Havannah, October 8, 1825.

THE subject of this Cause is one of the most arduous that can occur, and consequently demands the greatest caution and circumspection.

The point in question is, to decide whether an enquiry can be instituted, judicially, respecting the origin and procedure of African Negro Slaves imported into this Island since the abolition of the traffick, and to resolve accordingly what is to be done with regard to such as have been thus imported in contravention to the Treaty and Royal Cedula upon the subject.

For the better resolution of this question, it will be proper to mention the fact which has given rise to the doubt.

On the 6th of July of the present year, Don Pedro Cabradilla, when passing through the Town of Arroyo Arena with 14 Negroes, as it appears, "Bozales," was detained by the Captain of the District, who deposited the Negroes in a house out of the Town, and gave them in charge to certain individuals in his confidence.—During the night, the Negroes were clandestinely withdrawn from the house of deposit, and secretly sold to different Planters. The Owner of the Negroes, Don Cornelio Souchai, having presented himself in due form before your Excellency, requiring the Captain to be made responsible for the aforesaid detention, deposit, and robbery; the proper proceedings were commenced, from which it appears, that the very persons who had the charge of the Negroes are accused of the robbery, and that there are strong motives for believing that the above mentioned Captain was an accomplice, who, in order to render his conduct excusable in the detention, has occasioned the formation of this separate proceeding, for the purpose of proving that the Negroes were imported in contravention to the existing Laws.

The party, Don Cornelio Souchai, always denying that the Negroes are of illicit importation, has opposed the continuation of this present proceeding upon the grounds that there is no law that authorizes this investigation, and enlarging upon the confusion and injury which such a



novelty must cause, and the Fiscal, who has been heard, has corroborated this opinion and pretension of the party.

It becomes, therefore, necessary to examine the Treaty signed at Madrid on the 23d of September 1817, and the Royal Cedula which, in consequence thereof, His Majesty was pleased to order to be issued, under date the 19th December of the same year.

Beginning with the said Treaty, unique in its class amongst Diplomatick Collections; it will be seen, that by it, the detention of Slave-vessels is only authorized, upon the precise condition, that it be effected by Spanish or English Vessels belonging to one or other of the Royal Navies, and, that their Commanders be provided with special instructions; and this in the sole case of the Negroes being still on board: so that, according to the stipulations of the Treaty, should any of these requisites be wanting, the Mixed Commission, to which the cognizance was entrusted, cannot condemn the Vessel as a good prize.

The English Negociator could not but be aware that the greatest part of the Slave-vessels would elude the vigilance of the Cruizers; and it is therefore probable that he insisted that this commerce, being declared fraudulent, should be suppressed (*perseguido*) even on shore; but the mere fact of his not having obtained this concession convinces that it was not intended that the restriction should be carried to the extreme, upon the principle which His Majesty laid down, that he wished to combine his sentiments of humanity with the wants of His American Possessions.

The above mentioned Royal Cedula, in conformity with what is directed by the Treaty, imposes no other restrictions upon the traffick but those which are therein stipulated, and contains only the penal sanction of the prohibition, which is reduced to the confiscation of the Vessel, the penalties of the purchaser, Captain, Master, and Pilot, and the manumission of the slaves, the Vessel being previously pronounced to be a good prize by the Mixed Commission.

From this statement, in my opinion, the conclusion may be drawn, that neither the Treaty nor the Royal Cedula authorizes the investigation as to the origin and procedure of African Negroes, when once landed and imported into the Island; and that all contrary proceedings, without having any precise and decisive legal support, might operate perniciously to the danger of publick tranquillity.

In effect, what confusion must not such investigations cause? There would be scarcely a Planter who would not be exposed to abuses of power and vexations on the part of the Subaltern Agents of the Government; not because all have Negroes "*bozales*" imported subsequently to the prohibition, but because on the Plantations which have been commenced with few or no intelligent Negroes (*Ladinos*) it is difficult for these newly imported to forget, even after many years, the language, habits and customs, peculiar to their origin.

This Cause furnishes a proof of the facility with which abuses would be committed were the investigation authorized. Why were the 14 Negroes, who have given rise to the proceedings, detained and scandalously stolen? For no other reason, but because it was thought, that being "*bozales*" and illegally imported, the Owner would not venture to claim them; that is to say, it was hoped to find impunity for a crime, in the fear of discovering an abuse.

Moreover, Most Excellent Sir, would the simultaneous manumission of a considerable number of slaves be prudent, even although they should be placed for a time under the care of the Proprietors? Would it be compatible with the tranquillity of the Island to emancipate men without means of subsistence, without morals, without the habits of society, and disposed to return to the ferocity of their former natural state? The consummate prudence of your Excellency, and the exact knowledge which you possess of the circumstances of this Island, will enable you to decide this question.

From what has been stated, I deduce, Most Excellent Sir, that it is not prudent that this Cause should at present proceed any farther, both because there is no express Law which authorizes it, and likewise, because this is required by the general good. I am, therefore, of opinion, that your Excellency shall make a Report to His Majesty, with a certified Copy of the Process, through the Department of Grace and Justice, in order that he may be pleased to resolve what may be his sovereign pleasure in this and similar cases; previously requiring from Don Cornelio Souchai security to produce the Negroes whenever he shall be called upon, and ordering the Captain of the District in which they may be, to prepare a statement in full of their several affiliations and marks, which shall remain with the other proceedings, and the expence of which shall be paid by the aforesaid Souchai.

Your Excellency will determine whatever you may judge most advisable.

*His Excellency the Captain General.*

I conform with the above, and let it be carried into effect.

(Signed) VIVES.

#### No. 64.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received December 8.)*

SIR,

*Havannah, October 31, 1825.*

SINCE I addressed to you my Despatch of the 30th of September, only one Vessel has sailed for the Coast of Africa, viz. the Brigantine "*Teresa*," Don Jose Cano, Master, on the 26th instant. The Portuguese Schooner "*Tonina*" arrived from Bonavista on the 12th instant. I have heard that this

is really the *Spanish Schooner "Amable Socorro,"* an old Slave-trader, and that she has been dispatched to the Owners of two or three Spanish Slave-ships, detained by the Portuguese in retaliation for the robberies committed by several Vessels of the former Nation, which are generally well armed, of the Negroes on board of Portuguese Vessels.

I cannot vouch for the truth of this statement; but there can be no doubt that the great delay which has occurred latterly in the return of many of the Slave-ships which have sailed from this Port, is owing to some unexpected obstacles in the way of their traffick.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

No. 65.

*Joseph Planta, Junior, Esq. to H. T. Kilbee, Esq.*

SIR,

*Foreign Office, December 10, 1825.*

MR. SECRETARY CANNING directs me to acknowledge the receipt of your Letter to him, marked Separate, of the 8th of October 1825, and to acquaint you, that he consents to your returning upon leave of absence to England, in the course of the next Spring, for a period of six months, provided that your health shall be in such a state as absolutely to require it.

I am, &c.

*H. T. Kilbee, Esq.*

(Signed)

J. PLANTA, Junior.

No. 66.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 19, 1826.)*

SIR,

*Havannah, November 23, 1825.*

M. PINILLOS, who has lately returned from Spain, having been named Intendant of this Island, has again assumed the Office of Spanish Commissary Judge, the duties of which were performed in his absence by Don Andres de Jauregui.

I cannot avoid taking this opportunity to express my sense of the conciliatory disposition manifested upon all occasions by M. de Jauregui, and of his anxious desire to do every thing in his power for the attainment of the objects of our Treaty, during a period in which the Mixed Commission has been more actively engaged in the discharge of its duties, than in any other since its establishment.

I have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

H. T. KILBEE.

No. 67.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 19, 1826.)*

(Extract.)

*Havannah, November 25, 1825*

WITH reference to my Despatch of October 21, I have the honour to inform you, that I lately took an opportunity, when stating to the Captain-General (as I now uniformly do) the ordinary Cases of illicit Slave-trade, which I consider myself to be justified in reporting to you, to notice the subject of the opinion officially given to him by his Assessor-General, as enclosed in that Despatch; and I observed, that it appeared to me to be so entirely in opposi-



tion to the spirit of our Treaty, and of His Catholick Majesty's Royal Cedula, issued in consequence thereof, that I felt it to be my duty to submit it to your consideration.

His Excellency merely said, that he did not at the moment recollect that such an opinion had been given to him; but that, if it was of the tenor I stated, it appeared to be in opposition to the Circular Orders lately issued by him to the Local Authorities.

*The Right Hon. George Canning,* (Signed) H. T. KILBEE.  
*&c. &c. &c.*

## No. 68.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received January 19, 1826.)*

SIR,

Havannah, November 30, 1825.

DURING the present month, two Vessels, namely, the Spanish Brig "*San Joze*," and the French Schooner "*Felicie*," have arrived here, which had landed, according to common report, the former 480, and the latter upwards of 300 Negroes, previously to their entrance into this Port.

During the same period three Spanish Schooners, the "*Iris*," "*Nicanor*," and "*Hecha*," Joze Le Grand, Francisco Picto, and Domingo Bernadine, Masters, have sailed for the Coast of Africa. Another Schooner called the "*Micaela*," which sailed in company with the two last, although she cleared out for Teneriffe, is, I strongly suspect, likewise destined for the Slave-trade.

I have much satisfaction in informing you, that in consequence of the steps which the French Consul took, with respect to the "*Felicie*," her Captain thought it prudent suddenly to depart from this Port very early on the morning after his arrival.

I have been informed by Captain the Earl of Huntingdon, of His Majesty's Ship "*Valorous*," that in the month of April last, he had chased and driven on shore on the Coast of Yucatan, a Spanish Brig, which proved to be the "*Victoria*," Joze de la Puente, Master, which had sailed from hence for the Coast of Africa in May 1824. It appears that, previously to his Lordship's chasing her, she had succeeded in landing her cargo, amounting to about 250 Negroes, on the Southern Coast of this Island.

I am, &amp;c.

*The Right Hon. George Canning,* (Signed) H. T. KILBEE.  
*&c. &c. &c.*

## No. 69.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, January 31, 1826.

I TRANSMIT to you, for your information, and for your guidance in your communications with the Colonial Authorities of Spain, the accompanying Copy of a Despatch, and of its Enclosure, which I have received from His Majesty's Envoy Extraordinary and Minister Plenipotentiary at Madrid, together with the Copy of the Answer which, by His Majesty's Command, I have returned thereto,\* upon the subject of the Orders which His Catholick Majesty has recently addressed to the Captain General of Cuba, for the more effectual execution of the Treaties between Great Britain and Spain, for the abolition of the traffick in slaves.

I am, &amp;c.

*His Majesty's Commissioners,* (Signed) GEORGE CANNING.

\* See Class B.

## No. 70.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received Feb. 13, 1826.)*

SIR,

Havannah, December 17, 1825.

I HAVE the honour to enclose a certified Copy of the Register of the Slaves emancipated by Decree of this Mixed Commission, since the date of my Despatch of the 5th of July of this Year; they belonged to the Spanish Brigantine "*Isabel*."

I have, &amp;c.

(Signed)

HENRY T. KILBEE.

*The Right Hon. George Canning,*  
 &c. &c. &c.

*Mem.*—The Enclosure contains the Names and Particulars of Emancipation, and Registry of 10 Slaves taken from the Schooner "*Isabel*."

## No. 71.

*H. T. Kilbee, Esq. to Mr. Secretary Canning.—(Received Feb. 13, 1826.)*

SIR,

Havannah, December 18, 1825.

On the 17th instant, I had the honour of receiving the Despatch, in which you have been pleased to transmit to me one received from Mr. Lamb, reporting a conversation with the Spanish Minister of State, upon the subject of the illicit Slave-trade carried on with this Island.

In reference to the assertion made by M. de Zea, "that the greater part of his traffick was carried on by British Capital, and for the benefit of British Subjects," I consider it to be merely an act of justice to express my firm conviction that he is altogether mistaken; and it is most satisfactory for me to be enabled to state, that during my long residence in this Country, I have never known the slightest suspicion attach to any of His Majesty's Subjects established here, of participating, directly or indirectly, in that abominable traffick.

I have, &amp;c.

(Signed)

HENRY T. KILBEE.

*The Right Hon. George Canning,*  
 &c. &c. &c.

## No. 72.

*H. T. Kilbee, Esq. to Joseph Planta, Jun. Esq.—(Received Feb. 13, 1826.)*

SIR,

Havannah, December 22, 1825.

I HAVE the honour to inform you, that Mr. Macleay arrived here on the 17th instant, and delivered to me your Letter of the 21st September.

The Instructions which you have therein been pleased to communicate to me, have been duly carried into effect, and I beg leave to assure you that, in my intercourse with Mr. Macleay, I shall ever be most desirous to promote the reciprocal confidence and cordiality which you have recommended.

I have, &amp;c.

(Signed)

HENRY T. KILBEE.

*Joseph Planta, Jun. Esq.*  
 &c. &c. &c.

R



## No. 73.

*W. S. M'Leay, Esq. to Mr. Secretary Canning.—(Received Feb. 13, 1826.)*

SIR,

*Havannah, December 22, 1825.*

I HAVE the honour to inform you, that in consequence of a very circuitous and tedious passage, I only arrived here on the 17th instant, when, in obedience to your commands, I lost no time in waiting upon Mr. Kilbee, and shewing him my Commission. I have since been introduced by him to the Spanish Commissioners, and to the Captain General of Cuba, before whom I this day took the requisite oaths, in the form prescribed by the Treaty. I am now, therefore, prepared to enter upon the discharge of the duties entrusted to me as His Majesty's Commissioner of Arbitration at the Havannah.

I have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) **W. S. MACLEAY.**  
 &c. &c. &c.

## No. 74.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received February 13, 1826.)*

SIR,

*Havannah, December 14, 1825.*

WE have the honour to acknowledge the receipt of the Despatch, in which you have been pleased to express your approbation of the arrangement proposed, in respect to the appointment of Officers of this Mixed Commission.

We shall be careful, in conformity with your injunction, that the expences attending each particular Case, shall alone be deducted from the proceeds of the sale of the Vessel and Cargo.

We have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) **HENRY T. KILBEE.**  
 &c. &c. &c. **W. S. MACLEAY.**

## No. 75.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received February 13, 1826.)*

SIR,

*Havannah December 24, 1825.*

WE have the honour to enclose a List of five Spanish Vessels, which sailed from hence for the Coast of Africa, in the early part of the present Year, and have lately returned in ballast. It is well known, that previously to their entering this Port, they had landed upwards of 1500 Negroes.

We have the honour, &c.

*The Right Hon. George Canning,* (Signed) **HENRY T. KILBEE.**  
 &c. &c. &c. **W. S. MACLEAY.**

*Enclosure in No. 75.**List of Spanish Vessels which have arrived from the Coast of Africa at the Port of Havannah.*

1825.				Negroes.	
December 2,	Schooner	-	- Jacinta,	F. de Castro, Master, said to have landed	250
" 6,	"	-	- Anfitrite,	Juan Seton	180
" 10,	"	-	- Matilde,	Juan Sangreras	360
" 10,	"	-	- Paulita,	J. Aurecochea	230
" 15,	Brig	-	- Conquistador,	Juan Sandrino	525
					1545

## No. 76.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, February 23, 1826.*

I SEND to you the Copy of a Communication from the Admiralty, dated the 7th instant,\* containing a statement of the arrival at Cuba, of a Spanish Brig, reported to have re-captured on the Coast of Africa, two Vessels concerned in the Slave-trade, which Vessels had been detained by a British Cruizer, and were on their way to Sierra Leone for adjudication, when they were met by the Spanish Brig.

You will be so good as to make what enquiries you can into the truth of this transaction, and report to me the result, for the information of His Majesty's Government.

I am, &amp;c.

(Signed)

GEORGE CANNING.

*His Majesty's Commissioners.*

\* See Enclosures in No. 16.

## No. 77.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received March 9, 1826.)*

SIR,

*Havannah, December 31, 1825.*

SINCE the date of our Despatch of the 24th instant, three of the Spanish Vessels which sailed from hence for the Coast of Africa, during the early part of the present Year, namely, the Brig "*Anibal*," and the Schooners "*Joaquina*" and "*Buenaventura*," have returned here, as usual, in ballast, after landing 730 Negroes.

Thus, within the present month, no less than eight Slave-vessels have arrived at this Port, after clandestinely introducing into the Island nearly 2300 Slaves.

We have heard that the Spanish Brig "*Constante*," which sailed from hence for the Coast of Africa, in the month of August 1824, was, upon her return lately, compelled by some accident, to put into the Port of Trinidad, on the South-side of this Island, where she is said to have landed upwards of 500 Negroes.

The French Schooner "*Felicie*," whose arrival and immediate departure, in consequence of the steps taken by the French Consul General, were reported in the Despatch, dated 30th November, returned to this Port on the 26th inst. from Matanzas. Her original Master has not ventured to come in here, and, during her absence of 40 days, precautionary measures have probably been taken, which will render it very difficult now to prove that she was engaged in illicit Slave-trade.

No Vessel has sailed from hence for the Coast of Africa during the present month.

We have the honour to be, &amp;c.

(Signed)

HENRY T. KILBEE

W. S. MACLEAY.

*The Right Hon. George Canning,*

&amp;c.

&amp;c.

&amp;c.



No. 78.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, March 10, 1826.*

IN reference to my Despatch to you of the 31st of January last, I transmit to you, for your information, the Copy of a Despatch, which on that day I addressed to His Majesty's Envoy at Madrid, and the Copy of his Answer thereto,\* shewing, that the Additional Articles to the Treaty of 1817, which were signed under the Government of the Cortes of Spain, have now received the sanction of His Catholick Majesty, and have been transmitted to His Authorities in Cuba for their guidance.

I am, &amp;c.

*Messrs. Kilbee and M. Leay.*

(Signed)

GEORGE CANNING.

\* See Class B.

## RIO DE JANEIRO.

No. 79.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 29.)*

SIR,

Rio de Janeiro, February 28, 1825.

WE have the honour, herewith, to transmit, for your information, the Case of the Brazilian Brig "*Cerqueira*," detained on the 30th of January 1824, by His Majesty's Ship "*Bann*," Captain Courtenay, in the Port of Onim, in Latitude 3. 59. 28. North, together with the most important Documents belonging to the evidence before us, to enable you, Sir, to form your judgment upon it, or to take steps with a view to its investigation, and to give us such instructions as you may think fit, for our guidance in this and such parallel Cases as may occur in future.

We beg to call your early attention to this Case, it being of moment, inasmuch as we learn, from the evidence before us, that two other Vessels were detained at the same time, and under the same circumstances, by the same Cruizer, and we suppose their Cases are kept back until the fate of this is known.

The Abstract of the Case, from what we can collect from the Petition of the Claimant, and the Protests annexed to it, the only evidence we have, is this :

The Brazilian Brig "*Cerqueira*," Manoel Cardozo dos Santos, Master, sailed from Bahia on the 8th of November 1823, provided with a passport, and duly legalized, on a voyage to fetch slaves from Molembo, a Portuguese Settlement, 8 degrees to the South of the Equator; that, on her course thither, she encountered foul winds, which prolonged the voyage, and obliged the Captain, on the 17th of December 1823, to put into Onim, to renew his stock of provisions. On his landing there, he found the Natives at war with those of Bajadre, which prevented his procuring the necessary supplies. During his stay in this Port, the "*Cerqueira*" was visited on the 15th of December 1823, by His Majesty's Ship "*Bann*," and on the 3d and 13th of January 1824, by His Majesty's Ship "*Swinger*." On neither of these occasions was the legality of her trade questioned. On the 30th of January His Majesty's Ship "*Bann*," Captain Courtenay, returned to Onim, and immediately sent armed boats to take possession of the "*Cerqueira*," though she had no slaves on board. On the following day, boats were sent to demand of the King the slaves belonging to the Brazilian Ships in the Port, who denied having any, nor were any delivered. The British Boats, after spiking three guns and firing on the shore, returned to their Ships, and on the 2d of February 1824, the "*Bann*" left Onim, with the "*Cerqueira*," bound to Sierra Leone. On their voyage they made Cape Coast, where Captain Courtenay joined the "*Owen Glendower*," and was succeeded by his immediate or next in command; and the "*Cerqueira*" was sent in charge of the Prize Master to Sierra Leone, where she arrived a few days before the "*Bann*," which Ship arrived on the 16th of April 1824, and, on the afternoon of the same day, the Mate of the "*Cerqueira*," and all the crew detained on board the "*Bann*," were sent on board the "*Cerqueira*," and the Mate was told to take command of her in the absence of the Captain, and free permission was given to him to return to Bahia. In spite of the remonstrances of the Mate, no Inventory of the Brig was taken, nor was there any legal or regular trial, either before the Mixed Commission, or any other Tribunal,

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previous to the release of the "Cerqueira;" nor, as the Mate alleges, would any of the Law Officers, or Authorities on shore, receive his Protest, or in any way afford him redress. The "Cerqueira" sailed from Sierra Leone, without any Documents, on the 18th of April, as stated in the Petition, and reached Bahia on the 24th of May following. For losses, damages, and prejudices, arising out of this capture and detention, reclamation is made by the Owner to the amount of £60,000 sterling, and the Case laid before the Commission at Rio de Janeiro, because, as the Petition alleges, the Commission at Sierra Leone had not taken cognizance of it. The Case is stated more at length in the Petition of the Claimant's Proctor, of which we beg to enclose a Copy and Translation.

The reasons assigned in the Proctor's Petition for bringing the Case before this Commission, and the principal arguments he adduces to substantiate his claim, are, "there having been no legal proceedings instituted against the "Cerqueira" by the Authorities at Sierra Leone, the illegality of the capture is sanctioned, *de facto*, by the certain evidence of the Prize, and consequently the right founded for reparation; and he argues that Prizes not brought to adjudication before the Mixed Commission at Sierra Leone, ought to be before that established at Rio de Janeiro, because it would be absurd to suppose, that the Captor failing to take his Prize to the proper Commission, or the Commission refusing to take cognizance of the Case, the captured would be deprived of his right to reclamation, or indemnification."

The most material parts of the evidence in support of the claim, which came to us attached to the Petition, were,

1st. A Protest on the detention of the "Cerqueira" by the Mate and crew, dated Onim, 30th of January 1824.

2d. A Protest by Manoel Cardozo Santos, Captain of the "Cerqueira," declaring the circumstances of his detention by His Majesty's Ship "Bann," and that he had no slaves on board, and that he was on shore at Onim at the time, dated Onim.

3d. A Protest by the Mate and crew, on the 16th of April 1823, at Sierra Leone, on the "Cerqueira" being restored without any legal proceedings being had against her, and without inventory.

4th. A Protest by the Mate and crew against the Authorities at Sierra Leone, for having denied every means of redress, and the power of laying his Protests before the Court, dated the 29th of April 1824, in the Port of Sierra Leone.

Here we feel ourselves called upon to remark the strange incongruity in the date of this last Document, when compared with the Petition, which asserts that the "Cerqueira" left Sierra Leone for Bahia on the 18th of April, whereas the Protest bears date the 29th of April, 12 days after the day she is said to have left that Port.

5th. A Protest confirming those already taken, formally made at Bahia.

The above-mentioned five Protests we have the honour to enclose, with their respective Translations, and a Schedule of the whole of the Documents, which are brought forward in support of the claim.

Having laid before you, Sir, the Abstract of the Case, the Petition, containing the Case at length, and the Documents and arguments brought forward in support of the claims, it now becomes us to inform you what has been done in this Case by the Mixed Commission, and to assign the reasons for the line of conduct we have felt it to be our duty to pursue.

The Case was laid before the Commission on the 18th of January 1825, but, owing to the Papers being very voluminous, the separate examination occupied till the 1st of February, on which day more Papers were added by the Claimants; and on the 8th of February, when it was intended to discuss the question, the Proctor for the Claimant filed a Petition, praying two months' delay, to enable him to obtain further proof from England. This gave rise to a question, whether this should be granted, or the general question gone into.—



The British Commissary Judge contended for the latter, because he thought it needless to hold out to the Claimants hopes of the Commission taking cognizance of the Case, when he did not consider the Commission competent to it, or could he find by what authority it could take cognizance of it, since the proofs alleged by the Claimant himself shew that the "Cerqueira" had been taken by the Captor to Sierra Leone, where a Mixed Commission is established for the express purpose of adjudicating Cases of illicit Slave-trade; and the same evidence declares and complains that the "Cerqueira" was informally and illegally restored to the Mate within the Port of Sierra Leone; and since the Claimant alleges in his Petition that the Case is laid before this Commission because it was not heard, or because no redress could be obtained at Sierra Leone, and therefore it ought to be heard at Rio de Janeiro. As the Case had not been heard, it could not be considered an Appeal. He, the British Commissary Judge, could find no authority vested in this Commission, by the Convention, to receive those Cases that Claimants had failed to prosecute elsewhere, nor did it leave them the option which Commission should investigate their claims: but he was of opinion that the 12th and 13th Articles of the Regulations of the Convention did most fully provide for and meet the Case in question.

The one, (12th.) "When the parties interested shall imagine they have cause to complain of any evident injustice on the part of the Mixed Commissions, they may represent it to their respective Governments, who reserve to themselves the right of mutual correspondence, for removing, when they think fit, individuals who may compose these Commissions."

The other, (13th.) "In case of a Vessel detained unjustly, under pretence of the stipulations of the Additional Convention of this date, and in which the Captor should neither be authorized by the tenour of the above-mentioned Convention, nor of the Instructions annexed to it, the Government to which the detained Vessel may belong, shall be entitled to demand reparation, and in such case the Government to which the Captor may belong, binds itself to cause the subject of complaint to be fully examined, and to inflict upon the Captor, if he be found to have deserved it—a punishment proportioned to the transgression, which may have been committed."

Now, the Petition of the Claimant's Proctor evidently complains, in the strongest terms, of the injustice of the detention by the Captor, and appeals to this Commission for its decision, because, as it alleges, the Commission at Sierra Leone would not, or did not, take cognizance of the Case.—Therefore the British Commissary Judge conceived that the Convention had marked out the channel by which the Claimants, under such circumstances, are to obtain redress through the medium of their own Government, and not the Mixed Commission. The Brazilian Commissary Judge, without entering upon the general question, felt disposed to grant the delay. The British Commissary Judge being desirous that this Case should not form a precedent, and fearing that by acquiescence it would be considered as an admission of the liability to take cognizance, persisted in his former opinion. The Brazilian Commissary Judge then demanded, according to the provisions of the Convention, a ballot, and the lot falling on the Brazilian Commissioner of Arbitration, the Secretary immediately applied to the Government to nominate one, since Mr. João Pereira da Souza was doing the duty, *ad interim*, of the absent Commissary Judge. On the 22d of February, Mr. Francisco Jose de Rocha having been duly named and installed, as Commissioner of Arbitration, *ad hoc*, he stated before the Court, "that having attentively examined the Papers on the question pending, of two months' delay, asked by the Party, he thought it might be conceded without prejudice to the principal question, of whether or not, the Commission is competent to take cognizance of the Case, for, on the one hand, the expected Documents might confirm the jurisdiction of the Commission, and on the other, the delay was only



prejudicial to the Claimants, and on these grounds he voted for the delay," which was immediately granted.

Thus the Case now stands; and unless it is most materially altered by the Documents expected to be produced, which we cannot in any way anticipate, we purpose holding the same argument at the expiration of the term granted for further proof.

If it should be decided by ballot that we go into the Case, we must again put it off for some time, in justice to the Captor, who doubtless has had no intimation of these proceedings against him.

Amongst the many irregularities with which this Case is fraught, the unaccounted-for delay in bringing it forward is worthy of remark.

The "Cerqueira" returned to Bahia on the 24th of May 1824, and the Case came to us on the 18th of January following, almost eight months after, with almost daily communication between this and Bahia.

If, after such lapses of time, without any limit, we are to award damages for alleged offences committed on the Coast of Africa, we know not where it would end, which made us desirous of not admitting this as a precedent.

In this, as in all other Cases, we have constantly kept in view the strict letter and spirit of the Convention, and it has been our study to be guided in our decision by the greatest impartiality for the parties, and we trust, Sir, that the view we have taken of the Case will meet with your approbation.

We have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) HENRY HAYNE.  
&c. &c. &c. A. CUNNINGHAM.

P. S. We have kept this Despatch open to the last moment, in hopes the Interpreter would send the Translations of four of the Enclosures, but are disappointed of them. We think it of importance, however, that this Despatch should go by this Packet, and will transmit the remaining Enclosures by the first opportunity.

*First Enclosure in No. 79.*

(Translation.)

*Petition of the Claimant of the Brig "Cerqueira."*

Honoured Sirs, Judges, Commissioners, and Arbitrators, for the Adjudication of Prizes of Slaves, by the Mixed Commission established in this City of Rio Janeiro.

JOZE CERQUEIRA LIMA, Brazilian Citizen and Merchant, residing at Bahia, in the Empire of Brazil, has the honour of submitting to the consideration and judgment of your Lordships, the Case he describes as follows:

That he being the only Claimant and lawful Owner of the Brig called "Cerqueira," he purposed a trip to trade in Slaves, to the Port of Molembo, at which, as well as all other Ports situated to the South of the Equator, it is lawful and allowed to traffick in slaves, in conformity to the existing Convention between the Crown of Brazil and that of Great Britain; that having, with this intent, prepared and equipped the said Brig, "Cerqueira," and obtained a License, Papers and Clearances, in conformity to the Treaty thus duly legalized, the Vessel sailed from Bahia on the 8th November 1823, under Captain Manoel Cardozo dos Santos.

That the Brig navigating on her ordinary course to the said Port of Molembo, as the wind was contrary, and the voyage prolonged more than customary, it was necessary that the Captain should water and renew his stock, he determined to proceed to Onim, where, in fact, he entered on the 17th December following, having proceeded to record his anchoring according to maritime custom.

That the Brig being there anchored, as the Inhabitants of the Country were at war with those of Bajadre, he could not readily procure the necessary supplies, on account of these differences and disturbances which obliged the Captain to remain until he could succeed in obtaining what he required.

That during this delay and stay there of the Brig, for that express purpose, she was at different times visited by different Ships of the British Squadron, employed cruising on that Station, viz.

On the 15th December, by the Corvette "Banu;" on the 3d and 13th of January following, by the Sloop, called the "Swinger."

That in neither of these visits did the Captains or Officers of the Cruizers meet with the least



motive for supposing the voyage of the Brig, or her stay here, to be illicit, they consequently left her in peace, in possession of her Papers. That when the Brig's supplies were in a forward state, on the 30th January, the above-mentioned Frigate, or Corvette, "Bann," returned to the said Port of Onim, and on entering she immediately sent to attack the Brig with armed men, who were sent in her own boats, and which act of violence was followed by the sending the Pilot, Officers, and Men on board the Corvette, with the sole exception of 4 Seamen, who were sick, and left in the Brig; those who were taken out of the Brig were put in irons, and this in spite of the Protests and Proclamations which, at the same time, the Pilot, Officers, and Men made, in which the Captain did not join, he being on shore.

That on the two following days the Commander and Officers of the Corvette followed, successively, the most violent and unheard of attempts, against the Chief and Inhabitants of the Country, who they rashly pretended to force to deliver to them the slaves, which they supposed had been purchased for the Brig of the Claimant, when, in fact, none had been bought, for which delivery they endeavoured to and to intimidate the said Chief and Inhabitants, first with promises, and then with threats of force, which in effect they employed, discharging on the shore both artillery and musquetry, with other gross insults, which it is unnecessary that the Claimant should relate, as well as against the several Brazilian Vessels which were there anchored, until returning from the Brig of the Claimant, they seized and detained, taking possession of them, as if they had belonged to an enemy; it is necessary to observe, as an important fact, and sufficient to exasperate to violence and attempt, that no slave was found on board, or even on shore, not even proper utensils to carry into effect the Slave-trade. That the Captors not having succeeded either with the King or Chief, nor with the Inhabitants of the Country, in obtaining the delivery of any slave, because, in truth, none had been bought for the Brig, whose destiny was to another Port, they determined that she should be sent as a Prize to Sierra Leone, which in effect took place, making sail for that Port on the 2d of February, under the command of a Prize Master, to whose charge the Vessel was delivered, without having sealed the hatches or without fulfilling any of the forms required in such cases, the Captain, Manoel Cardozo dos Santos, remaining on shore as aforesaid, and the Mate, Officers, and Crew of the Brig continued to be kept in irons on board the "Bann," with the exception of the 4 Seamen already mentioned. That whilst the Prize was following her direct course to Sierra Leone, the above-mentioned Corvette, passed within sight of the Northern Coast, and put into Cape Coast, there met with the English Frigate, "Owen Glendower," to which Ship Captain Courtenay, who commanded the "Bann" removed, and took the command immediately on entering the Port. That the "Bann" then pursued her voyage to Sierra Leone, where she arrived on the 16th of April, at which time the Brig of the Claimant was already at anchor, having arrived some days before as a Prize; that in the afternoon of the same day, (16th of April) the Commander of the "Bann" sent the Mate, Officers, and Crew, who had come up in the "Bann" on board the Prize Brig, ordering the Mate, as next in command to the Captain, to take the command of the Brig, the possession of which was in fact restored, without proceeding to any other formality, or without any solemn act of delivery, or without making an inventory of what remained in the Brig, notwithstanding the Mate claimed and insisted that he ought to hear the judgment or sentence of restitution, on account of the detention having been illegal, because in no other way could the release of the Prize be regularly made, or its restitution be fulfilled according to the right admitted by all civilized Nations. That the possession of the Brig, released and restored, in a manner so irregular and arbitrary, is manifest, by the faithful and proved exposition, by the effect of the same arbitrariness, and that prepotency which alone appeared to guide the judgment of the Captors throughout the whole of this disastrous affair, not only were the Clearances and Papers from the Authorities of the Port to enable the Brig to quit the Port of Sierra Leone denied her, but also any document to justify or prove the cause of her being sent thither, saying, that it was enough for them to proceed to Bahia with the same Papers she had brought from thence, which at the time of capture were seized, but were restored at the time the restitution and possession was forced in the manner above-mentioned. That during the time that the Brig still remained at Sierra Leone, the Mate could never succeed with the Law Officers or Authorities on shore to take his Protest or Claim, because to all and every one they refused, as in the beginning, he, as well as all those belonging to the Brig, were prohibited going on shore, or having any communication with it; excesses to every kind were carried to such a point by the Captors as to outrage, and flog with stripes the Mate for having personally declared to the Commanding Captor the Protests that he and his Crew had made praying for justice.

That it is a fact notorious and certain of all the mentioned and unheard of proceedings that no legal process was taken of the Brig "Cerqueira," nor was the Prize taken cognizance of by the Mixed Commission at Sierra Leone, or brought before any other Court or Tribunal in that Colony; so that the detention and capture has been, in fact, the arbitrage of force, as likewise the release and restitution of the Prize was, in fact, the arbitrage of force, all power and means to substantiate their rights being denied to the captured Vessel, of which certainly it will not be easy to find a similar case, in the maritime annals of any civilized Nation, even supposing the parties in a state of open war.

That the Brig being obliged to return to Bahia, left Sierra Leone on the 18th of April, and arrived at Bahia on the 24th of May following, having gone without provisions and supplies proportioned to her Crew, and therefore exposed to double risk. That not only had the speculation, intended by the destiny of the Brig to the above named Port of Molembó, failed, and altogether lost by the consequent effect of the detention and violence of being taken as a Prize to Sierra Leone, and with the heavy prejudice of the expected gains by the enterprize to which she was legally destined, but almost the whole of the outward Cargo was lost, either because some part of it was abandoned at Onim, taken there to exchange for stores and provisions, or because other



parts were stolen by the Captors themselves, which is proved by the evidence of the Inventories and Judicial Proceedings, which were taken on the return of the Vessel to Bahia.—Lastly, that all these facts are supported by legal proofs, all abundantly manifesting by Documents which the Claimant herewith offers, and subjoins, Nos. 1, 2, and 3, Documents which contain the original formal attestations, taken before the respective Local Authorities, due notice having been given to His Britannick Majesty's Consul at Bahia to attend the same, to which he made no opposition; and for which, and on the one part, not having judged or sentenced, or even taken any legal proceeding against the Brig "Cerqueira" at Sierra Leone, the illegality and injustice of the capture is proved and sanctioned *de facto* by the certain evidence of the Prize, and consequently the right is founded for a reparation of losses, and expected profits on the part of the detained, a right of which the Claimant wishes that application should be made to the case *from its source*, according to the stipulations of the subsisting Treaties between the Crown of Brazil and that of Great Britain; and on the other part, be it certain that the prizes which are not brought to adjudication before the Mixed Commission at Sierra Leone, ought to be before that established at Rio de Janeiro, according to what is deduced and obviously understood by the letter of the said Treaties, since it would be incongruous and even absurd to suppose that the Captor failing to take the Prize to the proper Commission, for the purpose of proceeding to her adjudication, or the Commission refusing to take cognizance of the Case, the captured would be inhibited, or deprived of his right to reclamation and adjudication of the quantum of indemnification which should be granted to him, for the consequent prejudices, therefore the Claimant prays:

That your Lordships, Judges, Commissioners, and Arbitrators will be pleased to *renew* the process to decide on the indemnification in the Case of the above-mentioned Brig "Cerqueira," with the documents which he offers sufficient to establish the evidence of the fact, and to found the right to a competent remuneration, the Claimant, if permitted, will produce justificatory probatory documents to ascertain the prejudices, and calculate the expected profits, if the sentence should award a full indemnification, which ought to be adjudged to the Claimant, according to the stipulations and regulations of the Convention of the 28th of July 1817. Rio de Janeiro, 15th January 1825.

As competent Attorney,  
(Signed) DIEGO SOARES DA SILVA DE BIVAR.

*Second Enclosure in No. 79.*

(Translation.)

PROTEST made on board the Brig "Cerqueira" by the Mate, Joze Francisco Carreirao, and the remainder of the crew of the said Brig "Cerqueira," in the absence of the Master of the said Brig, Manoel Cardozo dos Santos for the facts and acts of violence herein declared:

We, the undersigned, Joze Francisco Carreirao, Mate of the Brig "Cerqueira," and in her, in the absence of the Master, Manoel Cardozo dos Santos, charged with the command of the said Brig, and also the crew of the same, declare, that in the year of our Lord Jesus Christ 1824, on the 30th day of the month of January, at 5 o'clock in the evening, being at anchor in the Port of Onim, to purchase provisions, to pursue our voyage to Molembo, our destined Port, having been obliged to deviate from our course by the force of the winds and the inconstancy of the waves, and, by being attacked by the Frigate "Bann," belonging to His Britannick Majesty, we protest against all and every violence offered to us by the Captors, who harshly took us from the above mentioned Brig, and especially against Captain Courtenay and all the Officers, and against the British Government, or against whomsoever it may concern. Because we were in the said Brig "Cerqueira" with the Brazilian Flag hoisted, without having, or having had, any slave (male or female) on board, and in the good faith which the Treaties made with His Britannick Majesty secure to us, and which should be kept by all Nations, we protest, as in effect we have protested, for all and every arbitrary acts which the Frigate "Bann" and her Commander, Courtenay, are practising, or may practise against us, that right may hold good, to claim losses, damages, ceasing profits, as well for the Proprietor residing in the City of Bahia, Joze Cerqueira Lima, as for all others who may have an interest therein, and that at all times it may appear we cause to be made this Protest, made by one of us, and signed by all on board the Brig "Cerqueira," when we were taken and captured by force. On board the Brig "Cerqueira," anchored in the Port of Onim, on the 30th of January 1824.

(Signed by) JOZE FRANCISCO CARREIRAO, and by 20 of the Crew.

*Third Enclosure in No. 79.*

(Translation.)

PROTEST that Manoel Cardozo dos Santos makes against the British Nation, or to whom it may concern, on account of the capture and detention of the Brig "Cerqueira," of which I am Master and Supercargo, made by the English Ship of War, in which the Commodore was said to have come, which Brig is Brazilian property, and Joze de Cerqueira Lima, of Bahia, is the Proprietor, which Protest I make to the amount of 60,000l. sterling, the value in which the said Brig and all her cargo stood, and the ceasing profits arising from the acts of violence herein declared:—That after leaving the City of Bahia, on the 8th of November of the year 1823, in the Brig "Cerqueira," under my command, to proceed on a voyage to the Port of Molembo, on account of the inconstancy of the wind, I was induced to shape a course to the Northward, and making the land on the Gold Coast, I resolved touching at this Port of Onim, to buy beans and



some other provisions of which I stood in need.—That on anchoring in the Roads of this Port on the 17th day of December of the same year, and on going on shore to supply myself with oil, beans, and some other provisions which I wanted, it happened that I found this Port at war with the inhabitants of Badagoe, and on this account I was detained above three weeks, whilst the war lasted, not being able to obtain any thing.—That on the 25th of the same month, I was visited in this Roadstead by an English Corvette, said to be called the “Bann,” and no question was made about my Papers, as well as on the 3d of January 1824, when I was a second time visited by a Vessel of War, whose name I know not, and likewise she found nothing by which I was committed, and on the 13th of the month I was again visited by the same English Vessel of War, who made no more question than she had done in the first visit.

That on the 30th of January of the same year, about 5 o'clock in the evening, a Frigate coming from the East, hoisted English Colours, and fired a shot, and as soon as anchored a Boat was sent on board the Brig under my command, as well as on board the other Vessels that were in the same Roadstead, supposed to be to visit, or endorse their Papers.

That on the 31st, about 5 o'clock in the evening, two Launches and two Boats, all armed with artillery in the bow, with about 40 men, including some Soldiers, two Officers, and two Midshipmen, all armed with musquets, appeared before the village, which is three leagues up the River. That on arriving at the Village they anchored the Launches and Boats, opposite a factory or store where there was an Englishman, who had arrived 3 days previous, in a Brig under American Colours, under pretence of negotiating in slaves; the two Officers and Midshipmen there disembarked, and went to the said Factory, and after remaining above an hour, they re-embarked in the Launches. That about 7 in the evening, they were sent for by the King of the Port to know what their business was on shore; to which one of the Officers replied, that they came to ask the King to deliver up the slaves that the Portuguese had bought; that the Commodore had ordered it. The King in reply told them—that the Portuguese Captains that were trafficking in his Port, none were buying slaves, but they had bought provisions, cloths, oil, and ivory, and that they likewise exchanged tobacco for dollars; the Officer persisted for some time that he knew the Portuguese had bought slaves, that he should deliver them up, as for so doing he made him the offer of half the slaves that the Portuguese might have; the King then testified that the Portuguese Captains were not purchasing slaves; the said Officer then concluded by telling the King, that on the following morning, if the slaves were not delivered to him, he should open a fire on the shore from his Launches, and with these last words they embarked on board the Launches. That on the 1st of February the said Officers and Midshipmen disembarked, and went to the Factory of the said Englishman, and from thence to the Factory of Captain Manoel Joaquim de Almeida, where I was, together with Captain Andre Pinto, and he sent to tell us by a black man, who served as interpreter, that our Vessels were seized because our Papers were not legal, and that he, the Officer, came by order of the Commodore; that the Portuguese Captains should deliver up the slaves we had bought, and the said Officer asking who was the Captain of the Brig “Cerqueira,” to which I replied that it was I, he sent to tell me by the interpreter, that he did not take me when the Frigate went down, as he believed he should take many prizes at Calabar and Camarao, but now on his way back, he could not fail taking me, to which I replied—that I was not buying slaves, and that he might examine the Factory that belonged to me, but that I was replenishing my provisions, and exchanging tobacco for cloths to go to Molembo, and that I was ignorant in what my Papers were irregular, upon which he took his leave, saying he knew very well what to do. That again they went to the house of the King, and the said Englishmen decidedly told the King, that if he did not give up the slaves by 9 o'clock the same morning, that they should open a fire upon the shore, to which the King replied, that he had no slaves to give, that they should not fire upon the shore, because he had not treated them ill, and that he treated well all that came to his Port, of whatever Nation they might be, to which no reply was made; and in returning to embark in their Launches, they spiked three guns, which the King had for the defence of his Port, and the blacks seeing that they were destroying their guns, rose; and in this disturbance of the blacks, the said Englishmen embarked on board their Launches, and opened a fire of artillery and musquetry on the shore, killing and wounding a great many blacks, and under the smoke they retreated on board the Frigate; that as soon as they arrived on board the Frigate, they dispatched Launches to all the Brazilian ships that were in the Roadstead, which put themselves in readiness to make sail. That on the 2d of February, about 5 o'clock in the afternoon, I received notice from my Hut-man, that the Brig and the two Brazilian Vessels had made sail, and that the Frigate accompanied them. That I am ignorant of every thing that had passed on board the Brig under my command, because no cause was assigned to me, either by the Commander of the Frigate, or from the Brig by my Officers, which proves their want of communication, and perhaps my Officers and Crew were rigorously dealt with even to castigation, that by these means to obtain false oath, which is not to be wondered at, as many English Ships of War have done it to the Portuguese Vessels trading to this Coast of Africa. That as for myself they found no slaves on board the Brig or in the Factory, or even in the said Factory any thing belonging to the Traffick in slaves. I protest, as I have immediately protested, against the British Nation, or against whomsoever it may concern, before the witnesses undersigned, the Brig and the whole of the Cargo, and for the parties, my wages, and of my Officers and Crew, gains ceasing, and that may be the whole to the amount of 60,000*l.* sterling, for all and every prejudice, that may be caused in the course of my voyage, whether during my stay in this Port, whether in my return from hence to Molembo, and thence to the Port of Bahia, caused by the detention of the said Brig, and in the event of the said being taken, or she happens to be wrecked, abandoned, and I give as abandoned every thing that was in my Factory, for want of means to embark it, and return to Bahia, since I was destitute of means, and scarcely could I contrive to transport my own person alone to another Port, where I found a



Vessel to transport myself. This Protest shall have the same force and power as if it had been made in a proper Tribunal, and which for want of such, I asked Zacarias de Assiz Ferreira, who made this, and as a witness, signed it. Onim, at the Factory, on the 2d February, 1824.

(Signed by) MANOEL CARDOZO DOS SANTOS,  
And by 8 Witnesses.

*Fourth Enclosure in No. 79.*

(Translation.)

*PROTEST made on board the Brig "Cerqueira," at anchor in the Port of Sierra Leone, on the 16th April 1824.*

WE, the undersigned, Joze Francisco Carreirao, Mate, and the Crew of the Brig "Cerqueira," which was captured at Onim on the 30th of January of this year, and conducted on the 2d day of February of the same year to Sierra Leone, where we now are brought as prisoners and kept in irons from Onim during half the voyage to this Port, suffering all the rigour of oppression, we protest, as in effect we have protested, against all the proceedings which have been practised against us, and particularly against me, Joze Francisco Carreirao, the Mate, now the Master of the said Brig, by the Frigate "Bann," and her Commander, Captain Courtenay, who refusing to hear our protest and reclamation at Onim, continued to exercise arbitrary acts of violence, compelling me, through the Officers of the "Bann" Frigate, under Captain Courtenay, to be shipped in another Frigate called the "Owen Glendower," at Cape Corço, obliging me this day, 16th of April 1824, to take charge of the Brig on board which I am sent, as well as the Crew of the Brig "Cerqueira;" that we were this day brought to this Port of Sierra Leone in the said Frigate "Bann," which took us, without having proceeded in any legal term, or without being heard or regarded, on the state of the Cargo of the Brig, which is in her, ruined, or without it being notified to me, or adjudged that the unjust capture and detention of the Brig was given up, or by any other judicial proceeding; however protesting against all these proceedings of the Captors and of the British Nation, which we shall ratify as soon as we arrive at another Port, where we may be permitted to land, and apply to the Authorities of the place, to draw up a term in a manner that will secure to us the right of propriety of the Brig and Cargo, and of all who might be interested in the same; and that at all times, this our Protest will manifest, in which we have expressed all the clauses which, by right, are required in similar acts, one of us makes this term of protest, which is signed by all. Sierra Leone, on board the Brig "Cerqueira," 16th April, 1824.

(Signed by) JOZE FRANCISCO CARREIRAO,  
And by 20 of the Crew.

*Fifth Enclosure in No. 79.*

(Translation.)

*PROTEST made on board the Brig "Cerqueira," at anchor in the Port of Sierra Leone, on the 29th April 1824.*

WE, the undersigned, Joze Francisco Carreirao, Mate, and now Master of the Brig "Cerqueira," as well as all the Crew, make known, that in the year of Our Lord Jesus Christ, 1824, on the 29th of the month of April, on board of the Brig "Cerqueira," of which Joze Cerqueira Lima, a Merchant, established in the City of Bahia, is Proprietor, protest, and I, Joze Francisco Carreirao, the Mate, and now serving as Master in the absence of Manoel Cardozo dos Santos, against Captain Courtney and the other Captors of the above-mentioned Brig, against the British Nation, and likewise against the Authorities residing at the Settlement of Sierra Leone, for having refused permission to land on the first days after my arrival at this Port, every redress and lawful means to allege, to protest, to claim losses, damages, and ceasing profits, in consequence of the arbitrary capture, and even to present to the Court the Protests made at Onim on the 30th January of this year, and that which I made in this Port on the 16th April, when I was turned over from the Frigate "Bann" to the Brig, being in spite of every thing compelled to take charge of the Brig and her Cargo, without any judicial term whatever, or act of delivery, and sent or ordered to depart without passport or document from the Authorities of Sierra Leone, to pursue my voyage to Bahia, scarcely delivering the Papers of the Brig, with which she had sailed from Bahia, and for this, we protest, and we will certify the protest, against all these violent and oppressive proceedings at the first Port we may arrive at, and before the Publick Authorities where we may be, we will deduce the whole that shall be necessary to have all, and whatever indemnification as regards the Brig and Cargo, losses and damages, and principally for being compelled to direct our course to the Port of Bahia, with a lack of provision the Cargo being already ruined; and that at all times it may appear, one of us have made the term or act of Protest, as in right it should be, being signed by all, although I am first and principal Protector, and I, Joze Francisco Carreirao, the Mate, and in charge of the Brig in the absence of the Master, Manoel Cardozo dos Santos, who remained at Onim, being on shore at the time of the capture and unjust detention. On board the Brig "Cerqueira," at anchor in the Port of Sierra Leone, 29th April, 1824.

(Signed by) JOZE FRANCISCO CARREIRAO,  
And by 20 of the Crew.

*Sixth Enclosure in No. 79.*

(Translation.)

PROTEST of the necessity of putting into Port for the reasons herein declared, made by Manoel Cardozo dos Santos, Master of the Brazilian Brig "*Cerqueira*."

We, the undersigned, Master, Officers, and Crew of the said Brig, swear by the Holy Bible, that having sailed from the Port of Bahia on the 8th day of November 1823, on a direct voyage to Molembo on licit traffick, ready and correct, according to her Papers, it happened that we experienced contrary winds and currents, which obliged us to tack or beat from South to North, without having been able to fetch the Port of our destination, consequently the provisions which we had taken for an ordinary voyage began to diminish, and finding ourselves in Latitude North, 3. 59. 28., and Longitude West of Greenwich, 10. 32. 35., we were obliged to put into the nearest Port, there to replenish the said provisions, not only for our voyage to our destined Port, but likewise for the support of our crew, and the slaves on our return voyage, and it being the unanimous wish, and by the general consent of the Master, Officers, and Crew, so we did it, the Master protesting immediately to clear his responsibility, and that of the Shippers, against the sea and wind, and against whomsoever or whatever it ought or does concern.

On board the said Brig, in the Latitude above mentioned, on the 30th of November 1823.

(Signed by the Master, and by 21 of the Officers and Crew.)

*Seventh Enclosure in No. 79.*

(Translation.)

SCHEDULE of the Documents attached to the Petition of the Claimant in the Case of the "*Cerqueira*," Manoel Cardozo dos Santos, Master.

Power of Attorney from the Proprietor, constituting Diego Soares da Silva de Bivar, his Attorney or Proctor in this Case. No. 1. The Protest of the Proprietor, proofs of the Capture, and ratification of the Protest made by the Master, Manoel Cardozo dos Santos, at Onim on the 2d of February 1824, signed by the Crew, being all required, and done at the Magistracy of the Custom House at Bahia, the British Vice Consul having been cited to attend. No. 2. Protest and proof of the Pilot or Mate, Joze Francisco Carreira, ratifying the Protests that he made, together with the crew, at Onim and Sierra Leone. No. 3. Process of the Petition of the Proprietor, for the discharge, inventory, value, and sale by auction of the goods remaining on board the said Brig at Bahia; done at the Magistracy of the Custom House at Bahia. Documents attached to the second Petition of the Claimant, presented on the 29th of January, to the Mixed Commission, to be added to the former.

No. 1 and 2. Writing and Certificate shewing the Claimant to be the Proprietor.

3. Certificate of the Alvara to permit the free Commerce to Molembo.

4. Certificate of measurement, 304½ or 761 slaves.

5. Certificate of Crew or Matricula.

6. Certificate of Custom-House Pass.

7. Passport.

8. Certificate of visit on sailing.

9. Invoice and Letters of Orders.

10. Bill of Lading.

11 and 18. Account proved and sworn to from Invoice.

19. Certificate of Brazilian Property.

Mixed Commission at Rio de Janeiro, February 17, 1825.

(Signed) BRAZ. MARTINS COSTA PASSOS, Secretary.

## No. 80.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 29.)*

SIR,

*Rio de Janeiro, February 28, 1825.*

WE have the honour, herewith, to transmit, for your information, the Copy of two Notes which we received, on the 5th and 8th instant, from His Majesty's Consul General resident here, on the subject of 39 African Negroes saved from a wreck at Sea, by the British Brig "*Accession*," together with our replies to the same.

Although we felt persuaded in our own minds, that this Case did not come within the limits of the Convention upon which we are acting, yet, as Mr. Chamberlain had written to us officially on the subject, we thought it more satisfactory, as we were to meet our Brazilian Colleagues on the next day, on other business, to submit it to their opinion, which, coinciding with our own,

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we transmitted to Mr. Chamberlain the Minute on the subject, taken before the Board of Commission, a Copy of which we have also the honour of enclosing. We have the honour to be, &c.

(Signed) HENRY HAYNE.  
ALEXANDER CUNNINGHAM.  
*The Right Hon. George Canning,*  
&c. &c. &c.

*First Enclosure in No. 80.*

(Translation.)

*Mr. Consul-General Chamberlain to His Majesty's Commissioners.*

GENTLEMEN,

Rio de Janeiro, February 5, 1825.

I TRANSMIT to you, herewith, a Despatch from Mr. Follett, His Majesty's Vice Consul at Bahia, dated the 26th of January last, together with its Enclosures,\* respecting 39 African Negroes taken off the wreck of a Vessel at Sea, by the English Brig "Accession," and by her conveyed to Bahia, whence they have been sent hither by Mr. Follett, and placed at my disposal.

Should you, upon perusal of these Papers, consider the Case therein set forth as one coming under your jurisdiction, I have to request you will be pleased to acquaint me therewith, taking the trouble, at the same time, to state the grounds upon which that opinion may be formed, and to return the Papers sent herewith. I have the honour to be, &c.

(Signed) HENRY CHAMBERLAIN.

Messrs. Hayne and Cunningham.

\* See Class B.—Brazil.

*Second Enclosure in No. 80.*

*His Majesty's Commissioners to Mr. Consul-General Chamberlain.*

SIR,

Rio de Janeiro, February 8, 1825.

WE have to acknowledge the receipt of your Letter, dated the 5th instant, on the evening of the same day, together with Mr. Follett's Letter, and its Enclosures, respecting 39 African Negroes taken off the wreck of a Vessel at Sea by the English Brig "Accession," and by her conveyed to Bahia, whence they had been sent hither, by His Majesty's Vice-Consul at Bahia, to be placed at your disposal; in which you also request, that, should we, upon examination of the Documents enclosed, conceive the Case to come within our jurisdiction, that we would state the grounds on which our opinion is founded, and return you the Documents above mentioned.

In reply, we beg to inform you, that we availed ourselves of the first opportunity of bringing the Case before the Mixed Commission, for whose decision on it we beg to refer you to the enclosed Minute of this day's meeting, by which you will learn, that it was the unanimous opinion of the Board of Commission, that the Case in question did not come within their jurisdiction, it not being a Prize Case. We, however, as individuals, feel persuaded that you will do every thing in your power to mitigate the sufferings of these poor wretches, whose lives have been so providentially spared to them.

We herewith return you the Documents which you sent us, with the exception of the Affidavit stating the Case to the Consul at Bahia, which you shall have, as soon as a Copy has been taken of it. We have the honour to be, &c.

(Signed) HENRY HAYNE.  
ALEX. CUNNINGHAM.

H. Chamberlain, Esq.

*Third Enclosure in No. 80.*

*Mr. Consul-General Chamberlain to His Majesty's Commissioners.*

GENTLEMEN,

Rio de Janeiro, February 9, 1825.

I AM prevented from making the necessary representation to this Government, respecting the Negroes saved from the wreck of a Slave-vessel, by the British Brig "Accession," for want of the Document you have detained, wherefore I beg you will take the trouble to return it without delay; it being most desirable, upon many accounts, that not a moment should be lost in laying the Case before the proper Authorities.

I have the honour to be, &c.

(Signed) H. CHAMBERLAIN.

Messrs. Hayne and Cunningham.

*Fourth Enclosure in No. 80.**Henry Hayne, Esq. to Mr. Consul-General Chamberlain.*

SIR,

Rio de Janeiro, February 9, 1825.

TO prevent further delay, I reply to your Note of this morning, addressed to the British Commissioners, in my own name only; and beg, herewith, to transmit the Document which you required; which I have only this instant received from Town.

H. Chamberlain, Esq.

I remain, &amp;c.

(Signed) H. HAYNE.

*Fifth Enclosure in No. 80.*

(Translation.)

*Minutes taken at a Meeting of the Mixed Commission at Rio de Janeiro, on February 8, 1825.*

AT the Sitting of the 8th of February 1825, the British Commissioners represented that they had received from the British Consul-General, resident at this Court, a Letter, in which he informed them of the arrival from Bahia of 39 Negroes, who had been saved from a wreck by the English Brig "Accession;" and taken there, which Negroes had been sent by the British Vice-Consul, for the disposal of the Consul-General; and he requested to know whether, on perusal of the Papers, which he enclosed, the Case was within the Jurisdiction of the Commission.

The Commission, on examination of the Papers, were of the following unanimous opinion:

That, it not being a Prize Cause, it was not within the jurisdiction of the Commission, as is expressed in the Additional Convention of 28th of July 1817, to the Treaty of 22d of January 1815.

(Signed) HAYNE.  
SOUZA.

## No. 81.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 29.)*

(Extract.)

Rio de Janeiro, Feb. 28, 1825.

WE have the honour to enclose, for your information, the Copy of the Appointment of Mr. Francisco Joze da Rocha, Merchant, of this Place, to act, *ad interim*, as Brazilian Commissioner of Arbitration in the Mixed Commission, in place of Signor Joao Pereira de Souza, who is, for the time being, doing the duty of Commissary Judge.

This Commission was presented by Mr. da Rocha to the Board of Commission on the 17th instant, together with the attested proof annexed, of his having taken the oath prescribed by the Convention, before the Chancellor; it was deemed sufficient, and he was thereby installed.

(Signed)

HENRY HAYNE.

The Right Hon. George Canning,  
&c. &c. &c.

ALEXANDER CUNNINGHAM.

*Enclosure in No. 81.*

(Translation.)

*Appointment of Signor Francisco Joze Rocha, to act, ad interim, as Brazilian Commissioner of Arbitration in the Mixed Commission at Rio de Janeiro.*

JOZE DE CERQUEIRA LIMA, Merchant, of Bahia, through his lawful Attorney, Diego Soares da Silva Bivar, having represented to the Imperial Presence of His Majesty the Emperor, that a decision being pending in the Mixed Commission of this Court, of the cause of the detention and capture of his Brig, called "Cerqueira," made on the Coast of Africa, by His Britannick Majesty's Frigate "Bann;" that there might be a difference of opinion between the British and Brazilian Commissary Judges, it would then be necessary to have recourse to the method of Arbitration by lot, according to the form of the Additional Convention of the 28th of July 1817; and the August Sir, considering that the Brazilian Commissioner of Arbitration, Signor Joao Pereira



de Souza, is exercising, *ad interim*, the functions of Brazilian Commissary Judge, the Commissary Judge being actually absent on an important Commission, in the National Service, on this account it is necessary to name a Person to serve, *ad interim*, as Commissioner of Arbitration, has been pleased, at the sight of the just motives stated, and having been informed of the intelligence and ability of the Merchant, Francisco José da Rocha, to name him to exercise the duties of Commissioner of Arbitration, *ad hoc*, that they might decide the said Cause jointly with the other Commissioners, in case of a discordancy of opinion. Which is ordered to be communicated to the Mixed Commission, for its information, and execution by the Secretary of State for Foreign Affairs.

Palace, Feb. 7, 1825.

(Signed)

LUIZ JOSE DE CARVALHO E MELLO.

No. 82.

*His Majesty's Commissioners to Mr. Secretary Canning.—Received May 23.)*

SIR,

*Rio de Janeiro, March 7, 1825.*

WE have herewith the honour to transmit the four Documents belonging to our Despatch of the 28th ult. which, through the negligence of the Interpreter, who failed to return them to us, with their Translations, early enough to be sent in their place, were unavoidably omitted, and by not having them, we find we have been led into an error, for which we have to apologize, and beg to be allowed now to correct.

Enclosure No. 6, instead of being dated at Bahia, as stated in our Despatch, was made at Sea, on the 30th of November 1823, by the Master, Mate, and Crew of the "Cerqueira", to account for their putting into Onim, when bound to Molembo.

We have the honour to be, &c.

(Signed)

HENRY HAYNE.

*The Right Hon. George Canning,*  
&c. &c. &c.

ALEXANDER CUNNINGHAM.

No. 83.

*Joseph Planta, Junior, Esq. to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, May 27, 1825.*

IN reference to the question contained in your Despatch of the 10th of March 1825: whether the Regulation as to the 75th Section of the Act for consolidating the Laws on Slave-trade, is to supersede the less formal Returns which you have been in the habit of forwarding Quarterly. I am directed by Mr. Secretary Canning to acquaint you, that the Regulation will *not* supersede any Returns to *this Office*, containing *other* matter than that which is stated in the Section in question; but will naturally supersede those Returns which would otherwise contain the same matter in a less formal shape.

I am, &c.

(Signed)

JOSEPH PLANTA, Jun.

*His Majesty's Commissioners.*

## No. 84.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 15, 1825.*

I HEREWITH transmit to you, for your information, six Copies of Papers, marked A and B, relative to the Slave-trade, which have been presented to both Houses of Parliament, by His Majesty's Command, in the course of the present Session.

I am, &amp;c.

*His Majesty's Commissioners.*

(Signed)

GEORGE CANNING.

## No. 85.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 15, 1825.*

YOUR several Despatches of this Year, to the 10th of March, have been duly received.

I have referred, for the consideration of His Majesty's Advocate General, the Case of the Brazilian Slave-vessel, the "*Cerqueira*," which was taken by His Majesty's Ship "*Bann*," Captain Courtenay, and carried into Sierra Leone, but not adjudged there, and afterwards brought before you by the Owners of the "*Cerqueira*," with a claim for damages, on account of the illegal detention of their Vessel.

The King's Advocate reports 1st, that, by the Instructions for Cruizers, annexed to the Slave-trade Convention, the Commanders are directed to bring the detained Vessel for judgment, as soon as possible, to that Commission, either at Sierra Leone, or Rio de Janeiro, which shall be nearest, or which they shall soonest reach, from the spot where the Slave-ships shall be detained: 2dly, that the Commissioners shall give Sentence, as summarily as possible, within 20 days from the date on which the detained Vessel shall be brought into the Port where they reside; and, 3dly, that in one case alone, that of Vessels carried into Sierra Leone, and adjudged there during the vacancy, by death, of the Portuguese Commissioner, there shall be a liberty of appealing to the Commission resident in the Brazils.

The result of these observations is, that the terms of the Convention distinctly confine the jurisdiction of the Commissions to Cases brought in by Cruizers to the nearest Commission, and becoming thereby the subject of legal proceedings in that Commission.

His Majesty's Advocate-General is, therefore, decidedly of opinion, that the Commission at Rio de Janeiro has no jurisdiction in the Case of the "*Cerqueira*;" that any proceedings, which may be had there upon it, will be a nullity; and that there will be no obligation on the British Government, or on the Captors, under the Convention, to pay obedience to any Sentence, or Award, so passed.

You will take this opinion as the rule of your conduct.

You will communicate to His Majesty's Consul General at Rio, the Correspondence of which you are in possession, upon this Case; and he will shew to you an Instruction which I have addressed to him, also, under this day's date, upon the subject.

I am, &amp;c.

(Signed)

GEORGE CANNING.

*Messrs. Hayne and Cunningham.*



*His Majesty's Commissioners to Mr. Secretary Canning.—Received  
June 28.)*

(Extract.)

*Rio de Janeiro, April 5, 1825.*

WE have the honour to enclose, for your information, the Copy and Translation of a *Portaria*, received from the Minister for Foreign Affairs, by the Mixed Commission on the 23d ult.

The intent of the above-mentioned *Portaria*, was to put the Commission in possession of the Emperor's decision on three points therein mentioned, which had been submitted to his Government by the British Commissioners in conformity to their Instructions from home.

(Signed) HENRY HAYNE.  
ALEXANDER CUNNINGHAM.  
*The Right Hon. George Canning,*  
Sec. Sec. Sec

*Enclosure in No. 86.*

(Translation.)

*Portaria addressed to the Mixed Commission, on the 15th of March 1825.*

THE two Officios from the Mixed Commission, dated on the 18th of July of last year, and the 15th of January of the present year, transmitting, in the first place, a Copy of the Articles Additional to the Convention of 28th July 1817, which had been signed at Lisbon, on the 15th of March 1823, and the execution of which, on the part of the Brazilian Government, was requested by the British Commissioners; in the second place, transmitting the amount of the expences incurred by the Mixed Commission from the 7th of January 1823, amounting to 31  $\frac{1}{2}$  400 Reis: and requesting, that the Coffer of the Commission might be furnished with money to pay the expences that had been incurred, and for the supply of its present Contingencies; and in the third place, informing on the subject of the Accounts, that the Consul-General of His Britannick Majesty presented, of the expences incurred by the support of the Negroes of the Schooner "Emilia," amounting to £1199 2s. 2 $\frac{3}{4}$ d. according to the determination expressed in the *Portarias*, which were issued under the two dates of the 28th of August, and 4th of September 1821, to the Mixed Commission, by the then Minister and Secretary of State for Foreign Affairs, Signor Pedro Alvarez Diniz; having been presented to His Imperial Majesty the Emperor, His Imperial Majesty was pleased to determine as follows:—As to the first object, That the additional Articles referred to should be put in execution, since necessity existed to take measures against the frauds of those interested in the illegal traffick in slaves, which by them, (the Additional Articles) are provided against. With regard to the second,—That the Mixed Commission should make an Estimate of what their annual Expences might be, in order that they may be supplied by the Publick Treasury: and lastly, with respect to the third, the Consul-General of His Britannick Majesty has, on this day, been written to, after noting the difference that there existed in the said Account, making the expence and support of each Negro 120 Reis, when, according to the information of the Commission, it never exceeded 86 Reis each, at this Court: That the Brazilian Government was ready to sanction the said determination, taken in the year 1821, it being proper, however, that an Additional Article to the above-mentioned Convention of the 28th of July 1817, should be previously signed, by persons duly authorized from one Government to the other. Which His Imperial Majesty orders to be communicated to the Mixed Commission, through the Secretary of State for Foreign Affairs, for its information and execution; that it may also be known to them, that the necessary Orders have been given to the Minister, and Secretary of State for Finance, and the President of the Treasury, to send to the Mixed Commission Copies of the authentick Documents of the Payments made to its Subaltern Officers, belonging to the three last years, as required by the British Commissioners, for the information of their Government, as appears by the Protocol, which accompanied the said Officio of the 15th of January of the present year.

(Signed) LUIZ JOSE DE CARVALHO E MELLO.

*The Mixed Commission.*

No. 87.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received  
July 21.)*

SIR,

*Rio de Janeiro, May 18, 1825.*

WE had the honour of transmitting to you in our Despatch of the 28th of February last, a Report of the Case of the "*Cerqueira*," M. C. dos Santos,

Master, together with all the Documents in our possession, which could throw any light upon it. The Report here referred to, brought the Proceedings of the Commission down to the 22d of February, when two Months time was granted to produce further proof. This time having expired on the 22d of April, the Claimant petitioned for a further delay of the same time. The Brazilian Commissary Judge was of opinion, that the circumstances of the case did not justify it, and after the opinion at first given by us, we of course concurred in refusing it.

Owing to some holidays, and the indisposition of the Brazilian Commissary Judge, the final decision on the Case was not given till the 17th instant, 24 days after the expiration of the delay granted, when no further evidence being brought forward, the Commissioners unanimously agreed, that the Case did not come within the jurisdiction of the Mixed Commission; and, as is customary, the Documents were returned to the Parties, who were referred to the competent Authorities.

We beg leave to enclose, for your information, a Copy and Translation of the Minute of the Sitting of the 17th instant, wherein the grounds on which the opinions were founded are recorded.

We have the honour to be, &c.

(Signed)

HENRY HAYNE.

The Right Hon. George Canning,  
&c. &c. &c.

ALEXANDER CUNNINGHAM.

*Enclosure in No. 87.*

*Minute of the Sitting of the Mixed Commission, May 17, 1825.*

AT the Sitting of the 17th May 1825, the British Commissary Judge observed, that the two months which had been granted to Joze de Cerqueira Lima, to delay the question respecting his Brig "Cerqueira" had expired, and that a further term of two months prayed by him having been refused, it became his duty and that of the Mixed Commission, finally to decide the said question. He was of opinion, that the documents produced by the said Cerqueira, after the delay granted to him for further proof, did not in any way change the face of the case, and consequently that he was of the same opinion as when the principal Petition was first presented.

His opinion then was, that the Case of the "Cerqueira" did not come within the jurisdiction of this Commission, and, therefore, that it was not authorized to take cognizance of it. The grounds on which he formed his opinion were the following:

1st. The detained Brig was restored, and the Owners came to petition this Commission for indemnification for losses and damages; whereas the Convention only authorizes the Court to award indemnification when the act of restitution has been duly and legally adjudged by the Court.

2d. The act of restitution was made within the Port of Sierra Leone where there exists a Mixed Commission, and it is to be presumed that the Brig "Cerqueira" was taken there, for the purpose of adjudication, and if either of the Commissions are competent to take cognizance of this Case, it would be natural to refer the question to that established at the Port where the detained Brig was taken by the Captor, and not to this Commission, under the pretext of the Case not having been taken cognizance of by that Commission.

3d. The pretext assigned, that the Case was not adjudged at Sierra Leone, proves that it is not a case of Appeal.

4th. Finally, if it can be proved, that the Case be one of unjust detention by the Convention, the 13th Article of the Regulations, provides the mode of redress; and, if a case of great injustice can be made out against either of the Commissions, the 12th Article of the same Regulations provides the means of redress to the injured parties; but neither the one or the other of the said Articles constitute this Commission the mediator in the question, and he, the British Commissary Judge, declares, that, under these circumstances, he cannot take cognizance of the Case.

The Brazilian Commissary Judge, *ad interim*, declared, that he agreed with the reasons alleged by the British Commissary Judge, and although he was before of opinion, that the delay of the Petitioner should be granted, to enable him to present Documents which might throw light upon the Case, and the better to establish the jurisdiction of the Commission, it was in the hope that he might produce them; but now, on a review of all the Papers, and of what has been said by the British Commissary Judge, he agrees to pronounce the final decision. The Board then gave the following Decision:

It does not belong to this Commission to take cognizance of the present Case, as it does not come within its jurisdiction; refer to the competent Authorities, and let the Documents be given to the Claimant, taking a receipt for the same. Rio de Janeiro, 17th May, 1825.

(Signed)

HAYNE.  
SOUZA.

The Sitting then broke up, and the Commissaries recorded, that they had not decided this question before, on account of indisposition. Mixed Commission at Rio de Janeiro, on the 18th May 1825.

(Signed)

BRAZ MARTINS COSTA PASSOS, Secretary.



No. 88.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received September 26.)*

SIR,

Rio de Janeiro, July 1, 1825.

IN conformity with the Instructions contained in your Despatch of the 20th November last, and the 75th Clause of the Consolidated Slave-trade Act, which accompanied it, we have the honour herein to enclose a Return of the only Case which has come before us since our last Report, in the form prescribed by the above-mentioned Act of Parliament.

We have the honour to be, &c.

(Signed) HENRY HAYNE,  
ALEXANDER CUNNINGHAM.  
*The Right Hon. George Canning,*  
    &c.      &c.      &c.

*Enclosure in No. 88.*

*Return of the Mixed Commission, Rio de Janeiro, from 1st January to the 1st July 1825.*

Date of Seizure.	Property Seized.	Seizor.	Date of Sentence.	Decretal part of Sentence whether Forfeiture or Restitution.	Whether Property condemned has been sold and converted.
Jan. 30, 1824 In the Port of Onim.	Brazilian Brig "Cergueira," with part of her outward bound cargo on board.	Capt. Courtenay, H.M.S. "Bann."	May 17, 1825	Not admitted as a Case of Appeal by the Mixed Commission at Rio de Janeiro.	The Vessel and Property on board, restored to the Mate, (then in command,) at Sierra Leone, on the 16th April 1824.

(Signed)

HENRY HAYNE,  
ALEXANDER CUNNINGHAM.

No. 89.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received November 3.)*

SIR,

Rio de Janeiro, August 16, 1825.

WE had the honour to receive, on the 5th instant, your Despatch of the 15th of June last, together with six Copies of Papers, marked A and B, relative to the Slave-trade, which had been presented to Parliament, in the course of the present Session, for which we beg to offer our best thanks.

And with the highest respect, we have the honour to be, &c.

(Signed) HENRY HAYNE,  
ALEXANDER CUNNINGHAM.  
*The Right Hon. George Canning,*  
    &c.      &c.      &c.

No. 90.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received November 3.)*

SIR,

Rio de Janeiro, August 16, 1825.

WE have the honour to acknowledge the receipt, on the 5th instant, of your Despatch, dated on the 15th of June last, announcing to us the receipt of our several Despatches of this Year, to the 10th of March, and likewise informing us of your having been pleased to refer, for the consideration of His Majesty's Advocate General, the Case of the Brazilian Slave-vessel, "*Cerqueira*," detained by His Majesty's Ship "*Bann*," Captain Courtenay, and taken to Sierra Leone but not adjudged there; and afterwards brought to us, by the Owner of the "*Cerqueira*," with a claim for damages on account of the illegal detention of his Vessel.

That the result of your observations upon the Report of His Majesty's Advocate General, were, That the jurisdiction of the Commissions, is distinctly confined to Cases brought in by Cruizers, to the nearest Commission, thereby becoming the subject of legal proceedings in that Commission. "That His Majesty's Advocate General was, therefore, decidedly of opinion, that the Commission at Rio de Janeiro, has no jurisdiction in the Case of the "*Cerqueira*;" that any proceedings which may be had here upon it, will be a nullity, and that there will be no obligation on the part of the British Government, or on the Captors under the Convention, to pay obedience to any Sentence, or Award so passed." That we are to take this opinion as the rule of our conduct, and that we are to communicate to His Majesty's Consul General at Rio, the Correspondence upon this subject, of which we are in possession.

In reply to the above, we beg to observe, that it is a matter of great satisfaction to us to find, that the opinion of His Majesty's Advocate General, on the Case of the "*Cerqueira*," as well as the Instructions founded thereon, which you have been pleased to convey to us in your Despatch of the 15th of June 1825, coincide in every respect with the view which we have from the first taken of the Case, and in which our Brazilian Colleagues were induced to concur on the 17th May last, when it was unanimously decided that the Case of the "*Cerqueira*" did not come within the jurisdiction of the Mixed Commission here established, of which, Sir, you will have been already apprized by our Despatch of the 18th of May last. We beg to inform you that we shall not fail to make the opinion of His Majesty's Advocate General the rule of our future conduct in similar Cases; and in conformity to your Instructions, we have this day put Mr. Consul General Chamberlain, in possession of all the Correspondence which we have had upon the Case of the Brazilian Brig "*Cerqueira*."

We have the honour to be, &c.

(Signed)

HENRY HAYNE.

*The Right Hon. George Canning,*  
 &c.      &c.      &c.

ALEXANDER CUNNINGHAM.



No. 91.

*His Majesty's Commissioners to Joseph Planta, Jun. Esq.—(Received November 5.)*

SIR,

*Rio de Janeiro, August 26, 1825.*

WE have the honour to acknowledge the receipt of your Despatch, bearing date the 27th May 1825, in which, by the directions of Mr. Secretary Canning, you are pleased to acquaint us, in reply to a question put by us in our Despatch of March 10, whether "the Returns prescribed by the 75th Section of the Act for consolidating the Slave-laws on Slave-trade, are to supersede those which we have been in the habit of forwarding quarterly," that the regulation in question will only supersede those Returns which would otherwise contain the *same* matter in a less formal shape. We beg to express our thanks to you for this information for our guidance, and we shall not fail to conform to it.

We have the honour to be, &amp;c.

(Signed)

*Joseph Planta Jun. Esq.*  
&c.      &c.      &c.

HENRY HAYNE,  
ALEXANDER CUNNINGHAM.

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## S U R I N A M.

No. 92.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 6.)*

SIR,

*Surinam, January 6, 1825.*

HAVING understood that the Court of Policy and Criminal Justice in this Colony had pronounced its Judgment upon the Case of the French Slave-brig "*La Légère*," and the persons who had been imprisoned for being concerned in that affair; we thought it proper to address a Note, of which the enclosed is a Copy, to His Excellency the Governor-General, to request of him an authenticated Copy of the Sentence. We also enclose a Copy of His Excellency's Reply thereto, declining to furnish us with a Copy of the Sentence; but, stating that it would be forwarded to the Minister of National Industry and Colonies in Holland, from whom the Government of His Britannick Majesty might consequently obtain all the information they required.

We have the honour to be, &c.

*The Right Hon. George Canning,*  
*&c.      &c.      &c.*

(Signed)

**C. E. LEFROY.**  
**J. H. LANCE.**

*First Enclosure in No. 92.*

*The British Commissioners to the Governor-General.*

*Paramaribo, December 16, 1824.*

MR. LEFROY and Mr. Lance present their best respects to His Excellency the Governor-General, and would feel much obliged if he would favour them with an official Copy of the Sentence passed upon the French Slave Brig "*Légère*," and upon those persons who have been confined on account of being concerned with her cargo, in order to their communicating the same to their Government, and thereby completing their information upon the Case, of which (as His Excellency knows) they are already in possession of all the preceding facts.

*His Excellency the Governor-General.*

*Second Enclosure in No. 92.*

*The Governor-General to the British Commissioners.*

*Paramaribo, December 18, 1824.*

GENERAL DE VEER presents his compliments to Mr. Lefroy and Mr. Lance, acknowledging the reception of their Note of the 16th instant; in answer to the same, he has the honour to state, that he finds himself not qualified to grant to them a Copy of the Sentence passed upon the French Slave-brig "*La Légère*" and the persons therewith concerned; but that the official Copies of the said Sentence, and all other Documents relative thereto, will be sent by him to His Excellency the Minister of National Industry and Colonies, which Minister consequently will be able to give to the British Government such information and communication as may be required on the subject.

*C. E. Lefroy and J. H. Lance, Esquires.*



## No. 93.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 5.)*

SIR,

*Surinam, January 25, 1825.*

WE have the honour to announce to you the death of Mr. J. P. Graafland, the Arbitrator on the part of His Netherlands Majesty, of the Mixed Court established in this Colony for the repression of the illicit traffick in slaves, which event took place on Saturday the 21st instant, leaving Mr. Lefroy the only one now surviving of the four original Commissioners appointed in 1819.

We have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

C. E. LEFROY.  
J. H. LANCE.

## No. 94.

*Joseph Planta, Jun. Esq. to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, April 23, 1825.*

I AM directed by Mr. Secretary Canning, to send to you, for your information, the accompanying Copies of the Law of the Netherlands on Slave-trade, of the 20th of November 1818; of the Decree of The King of the Netherlands on Slave-trade, of the 23d of December 1824; and of the Decree of The King of the Netherlands on Slave-trade, dated March 10, 1825.\*

I have, &c.

*His Majesty's Commissioners.*

(Signed)

J. PLANTA, Jun.

\* For the Enclosures, see Class B.

## No. 95.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 29.)*

SIR,

*Surinam, February 10, 1825.*

WE have the honour to acknowledge the receipt of your Despatch, dated November 20, 1824, together with the Act passed in the last Session of Parliament, for amending and consolidating the Laws relating to the Abolition of the Slave-trade; and also the Copies of the Correspondence which had passed with His Majesty's Treasury upon the subject of the enactment therein contained, for the transmission of certain Lists and Returns to His Majesty's Treasury; and we shall take care in our future Official Communications to observe the Instructions therein contained.

We have the honour to be, &c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

C. E. LEFROY.  
J. H. LANCE.

## No. 96.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received April 29.)*

(Extract.)

*Surinam, February 12, 1825.*

WE have the honour to inform you, that, on the 29th ultimo, a seizure was made, by his Honour the Fiscal, assisted by a detachment of troops, of 215

newly-imported African Negroes, who had been smuggled into this Colony, and were privately offered for sale, upon an Estate called "*A la bonne heure*," in the River Commewine, being the same Plantation to which Mr. Lance had directed the attention of the Local Authorities in August 1823.

Together with the Negroes, three white people were apprehended, a Mr. Boulemer, the Supercargo of the Vessel which brought them, and his Surgeon, both Frenchmen, and a Mr. Dykman, a resident upon, and reputed Owner of, the Estate. These three persons have been placed in close confinement, where they will remain until the next Session of the Court of Policy and Criminal Justice, when it is expected they will be tried. The Negroes have all been, for the present, taken into the service of the Government.

Notwithstanding the precaution which was taken of dividing the troops into three separate detachments, all closing in from different points, some of the Negroes contrived to escape into the bush, to the amount of 40, it is supposed, but measures have been taken for their capture, of which very little doubt is entertained, and 12 of the runaways have already been brought in, and placed with the others.

We feel pleasure in having thus to testify to the conduct of his Honour the Fiscal, (by whom the whole of this business was conducted), in enforcing the Decrees of His Majesty The King of the Netherlands for the abolition of the Slave-trade.

We have little doubt but that this blow, as sudden as it was unexpected, and which was planned and executed with the greatest secrecy, judgment, and prudence, will do more towards abolishing that infamous traffick in this Colony, than any thing which has previously been done by the Local Authorities alone, in furtherance of that object.

We have the honour to be, &c.

*The Right Hon. George Canning,* (Signed) C. E. LEFROY.  
 &c. &c. &c. J. H. LANCE.

## No. 97.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, June 10, 1825.

YOUR Despatches of this Year, to the 12th of February, have been received.

His Majesty's Government have learnt, with much gratification, the proof afforded by the Fiscal's conduct, as related in your Despatch (dated that day), of the zeal of that Officer in enforcing the Decrees of his Sovereign for the abolition of the Slave-trade.

I am, &amp;c.

*His Majesty's Commissioners.* (Signed) GEORGE CANNING.

## No. 98.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

Foreign Office, June 11, 1825.

I HEREWITH send to you, for your information, the Copy of a Note dated the 3d instant \*, which has been addressed to me by the Ambassador of The King of the Netherlands at this Court, notifying the Appointment of Mr. P. J. C. Brunings to be Judge Arbitrator in the Mixed Commission Court at Surinam, in the room of Mr. T. P. Graafland, deceased.

I am, &amp;c.

*His Majesty's Commissioners.* (Signed) GEORGE CANNING.

\* See Class B.



No. 99.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 15, 1825.*

I HEREWITH transmit to you, for your information, six Copies of Papers, marked A and B, relative to the Slave-trade, which have been presented to both Houses of Parliament by His Majesty's Command, in the course of the present Session.

I am &amp;c.

*His Majesty's Commissioners.*

(Signed) GEORGE CANNING.

No. 100.

*Mr. Secretary Canning to His Majesty's Commissioners.*

GENTLEMEN,

*Foreign Office, June 18, 1825.*

IN reference to your Despatch, dated January 6, I transmit to you, for your information, the accompanying Copy of a Communication, dated the 14th instant, which I have received from His Majesty's Ambassador to the King of the Netherlands;\* together with the Note and its Enclosures, forwarded by His Excellency from M. de Koninck, the Netherlands Minister, containing Copies of the Judgments given in the Court of Policy and Criminal Justice at Surinam, in the Case of the French Slave-trading Vessel, "*La Légère*."

I am, &amp;c.

*His Majesty's Commissioners.*

(Signed) GEORGE CANNING.

\* See Class B.

No. 101.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received August 8.)*

SIR,

*Surinam, May 25, 1825.*

WE have the honour to acknowledge the receipt of your Despatch, dated the 28th of February last, enclosing, for our information, and that of the other Members of our Board, the Copy of a Letter from the Secretary of the Admiralty to Mr. Planta, stating, that the instructions referred to in the Treaty with the Netherlands for the prevention of the Slave-trade, had been issued to the Ships "*Dartmouth*," "*Athol*," "*Esk*," "*Ringdove*," and "*Grecian*" Corvette, with their weight of metal and names of their Commanders; and withdrawn from the following (viz.) "*Isis*," "*Owen Glendower*," "*Thetis*," "*Eden*," "*Driver*," "*Surinam*."

We have the honour to be, &amp;c.

*The Right Hon. George Canning,*  
&c. &c. &c.

(Signed)

CHRIS. E. LEFROY,  
J. H. LANCE.

## No. 102.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received August 16.)*

SIR,

Paramaribo, June 10, 1825.

IN reference to our Despatch, dated February 12, 1825, we have now the honour to inform you, that the Court of Policy and Criminal Justice of this Colony, passed Sentence on the 6th instant, upon the white people, who were apprehended and placed in confinement, when his Honour the Fiscal made the seizure of Negroes, as mentioned in the Despatch above referred to.

The Supercargo of the Slave-vessel, a Mr. Boulemer, and the Surgeon, both Frenchmen, have been sentenced to five year's imprisonment, and to pay a fine of 5000 guilders, Surinam currency. The other person, a Mr. Duikman, a Dutchman, and the reputed Owner of the Estate, where the Negroes were found, was discharged upon paying one-third of the expences, and a fine of 3000 guilders of this currency; the confinement he has already undergone being considered as part of his punishment.

We understand that the cause of the distinction made between his case and that of the others was, that it appeared, upon enquiry, that he was not the actual Proprietor of the Estate, nor was he present at or privy to the landing of the Negroes, but his crime is said to consist in failing to give information after he knew that they were there.

We have the honour to be, &c.

(Signed)

CHRIS. EDWARD LEFROY.  
J. H. LANCE.

*The Right Hon. George Canning,*  
&c. &c. &c.

## No. 103.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received August 30.)*

SIR,

Surinam, June 28, 1825.

WE have the honour to acknowledge the receipt of your Despatch of the 4th April, accompanied by a Copy of a Note from the Count de Reede, to His Majesty's Acting Minister Plenipotentiary at Brussels, describing the new regulations ordained by His Netherlands Majesty, in compliance with the wish urged by His Britannick Majesty's Ambassador, (to whom Mr. Lance's Despatch of February 6, 1824, complaining of the inefficiency of those previously in practice, had been communicated,) in order to dispose the Officers of H's Netherlands Majesty's Marine, furnished with Instructions for the repression of the Slave-trade, to attend more rigorously to their execution.

We have the honour to be, &c.

(Signed)

CHRIS. EDWARD LEFROY.  
J. H. LANCE.

*The Right Hon. George Canning,*  
&c. &c. &c.



## No. 104.

*His Majesty's Commissioners to Joseph Planta, Jun. Esq.—(Received August 30,)*

SIR,

Surinam, June 28, 1825.

WE beg to acknowledge the receipt of your Letter of the 23d April 1825, accompanied by Copies of the Law of the Netherlands on Slave-trade, of the 20th November 1818; of the Decree of The King of the Netherlands on Slave-trade, of the 23d December 1824; and of the Decree of The King of the Netherlands on Slave-trade, dated March 10, 1825; which Mr. Secretary Canning had directed you to send us for our information.

We have the honour to be, &amp;c.

(Signed)

CHRIST. EDWARD LEFROY.  
J. H. LANCE.Joseph Planta, Jun. Esq.  
&c. &c. &c.

## No. 105.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received November 3.)*

SIR,

Surinam, August 30, 1825.

IN reference to our Despatch of June 10 1825, we think it right to inform you that the two French Subjects, who were sentenced by the Court of Policy and Criminal Justice of this Colony, to pay a fine of 5,000 guilders each, and to be imprisoned for 5 years, effected their escape from confinement on the night of Saturday the 16th ultimo, and have not since been heard of.

His Excellency, the Governor, informed us that they were both removed, without his knowledge, by order of his Honour the Fiscal, shortly after the Sentence was passed, from Fort Zeelandia to a place called the Piquet of Justice, a place certainly of much less security in itself, but the constant occupation of which, by the greater part of the Colonial Police Officers, makes it difficult to believe an escape could have been effected without the connivance of some of them, and we are sorry to add, that we have not heard of any of them having been in consequence discharged.

The enclosed is a Proclamation issued on Monday the 18th ultimo, by his Honour the Fiscal, offering a reward of 2,000 guilders for their apprehension, and giving a description of their persons.

We understand that their fines were both paid previous to their escape.

We have the honour to be, &amp;c.

(Signed)

CHRIS. E. LEFROY.  
J. H. LANCE.The Right Hon. George Canning,  
&c. &c. &c.

Enclosure in No. 105.

*Supplement to the Surinam Courant of Monday, July 18, 1825, (No. 57).*

## ADVERTISEMENT.

WHEREAS the Prisoners, Michael Bullemer and Pierre Marie le Frapper, in the night intervening between the 16th and 17th instant, have, by forcibly breaking out of Jail, fled from the hands of Justice, all persons, and each in particular, are warned against giving the above-mentioned fugitives any lodging or shelter, or aiding their further escape in any manner, on pain of incurring the punishment prescribed; and moreover, a reward of two thousand guilders is hereby

promised to any Individual who shall be able to communicate such information of their present retreat as may lead to their re-apprehension by the Officers of Justice.  
*Paramaribo, July 17, 1825.*

The Councillor Fiscal of the Colony of Surinam,  
 E. L. VAN HEECKEREN.

## DESCRIPTION :

## MICHAEL BOULLEMER.

Stature, 5 feet 5 inches ; Face long ; Forehead round ; Eyes black ; Nose and Mouth common ; Chin not remarkable ; Hair black ; Eyebrows black ; Particular Marks—None.

## PIERRE MARIE LE FRAPPER.

Stature 5 feet ; Face long ; Forehead round ; Eyes blue ; Nose and Mouth common ; Chin not remarkable ; Hair black ; Eyebrows black ; Particular Marks, black Whiskers.

## No. 106.

*His Majesty's Commissioners to Mr. Secretary Canning.—(Received November 15.)*

(Extract.)

*Surinam, September 19, 1825.*

WE have the honour to acknowledge the receipt of your several Despatches of the 10th, 11th, 15th, and 18th of June of the present year.

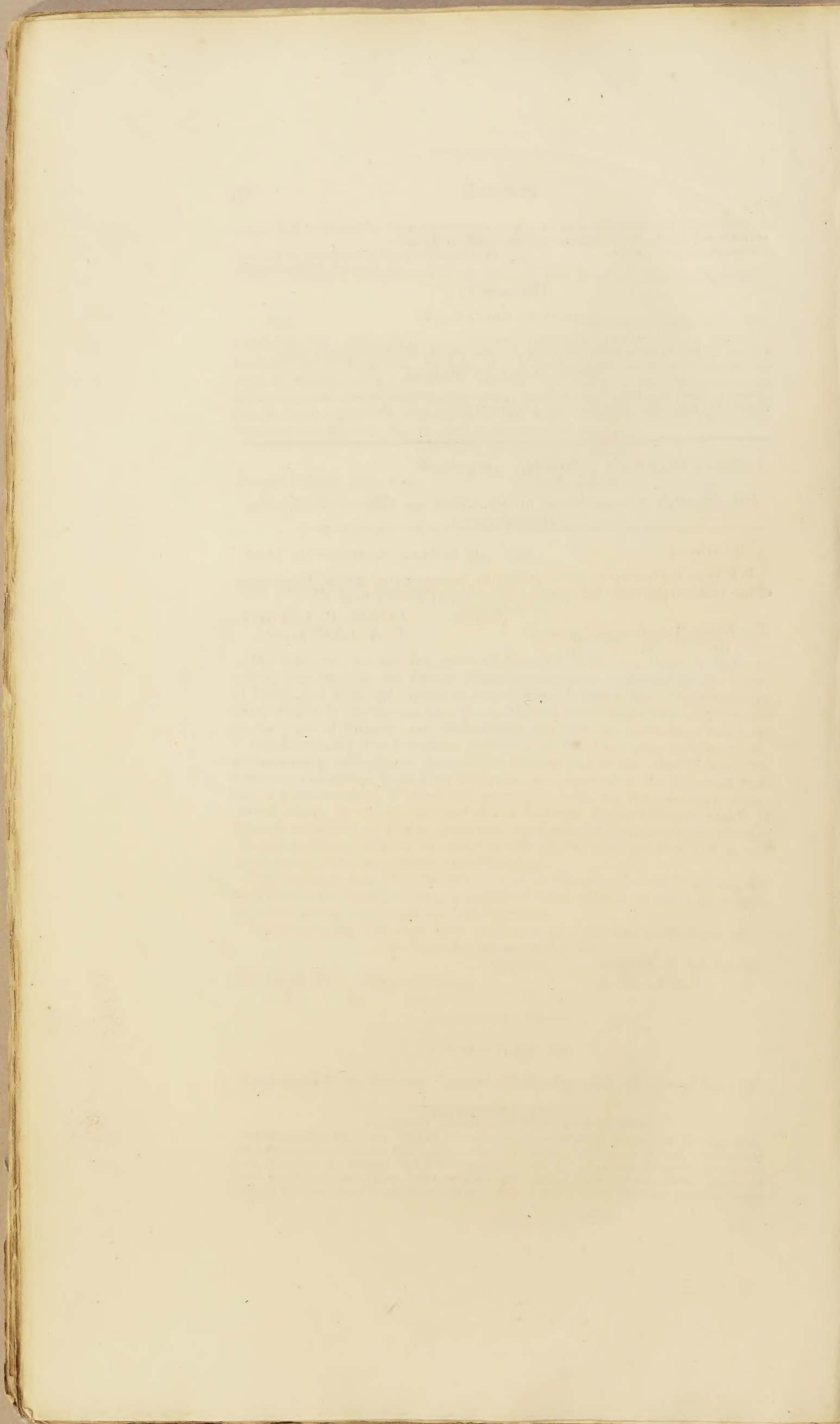
(Signed)

CHRIS. E. LEFROY.  
 J. H. LANCE.

*The Right Hon. George Canning.*  
 &c.      &c.      &c.

Printed by R. G. Clarke, Cannon-Row, Westminster.









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